



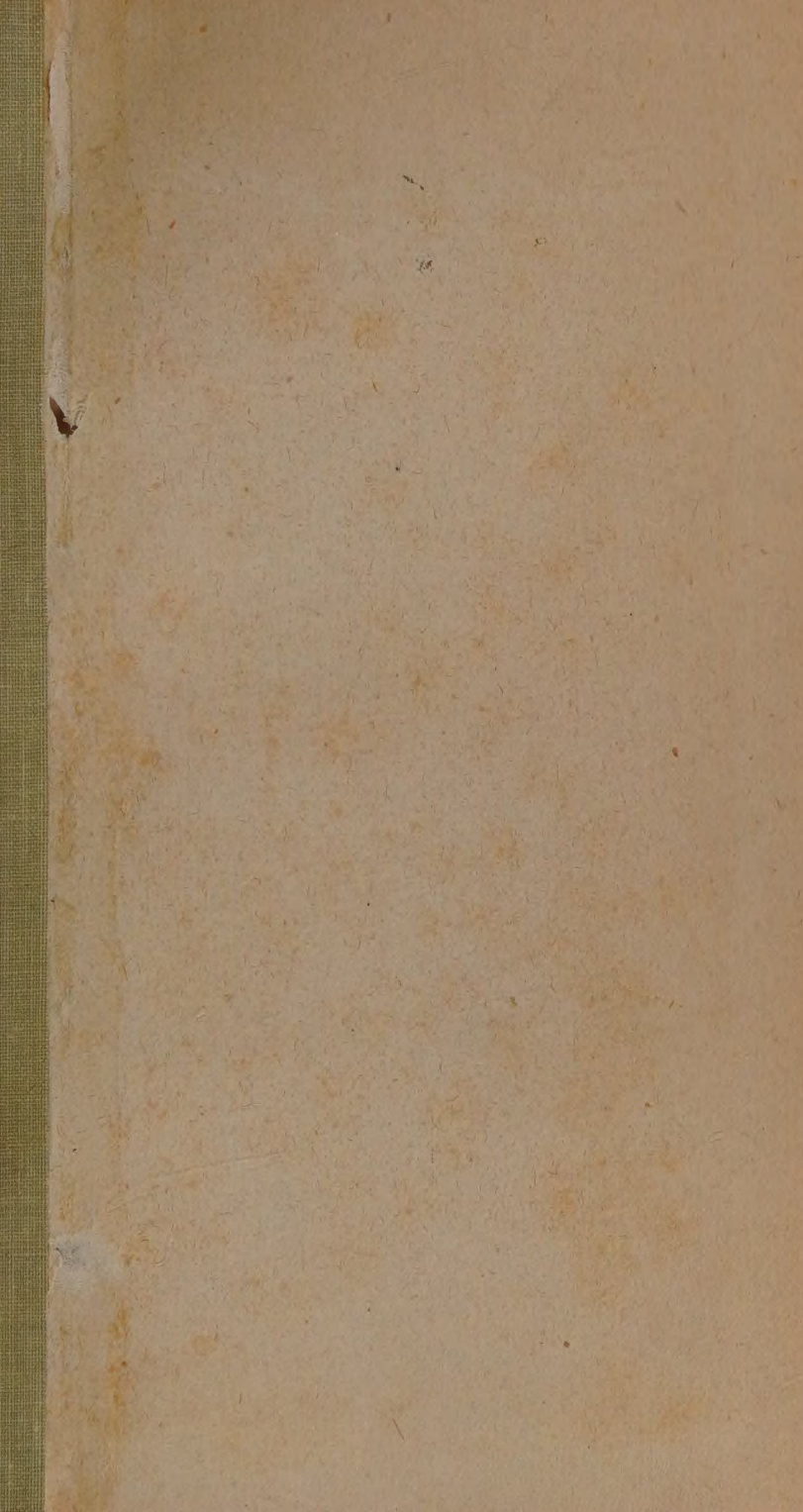
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*1892.*

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The Book-Lover's Library.

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Henry B. Wheatley, F.S.A.

BOOKS CONDEMNED  
TO BE BURNT.

BY  
JAMES ANSON FARRER.



LONDON

ELLIOT STOCK, 62, PATERNOSTER ROW

1892

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BOOKS CONDEMNED

TO BE BURNT.

JAMES ANSON TARRER

WILLIOT STONE, OF PATRICK STEWART

1892



## P R E F A C E.

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*WHEN did books first come to be burnt in England by the common hangman, and what was the last book to be so treated? This is the sort of question that occurs to a rational curiosity, but it is just this sort of question to which it is often most difficult to find an answer. Historians are generally too engrossed with the details of battles, all as drearily similar to one another as scenes of murder and rapine must of necessity be, to spare a glance for the far brighter and more instructive field of the mutations or of the progress of manners. The following work is an attempt to supply the deficiency on this particular subject.*

*b*

*I am indebted to chance for having directed me to the interest of book-burning as an episode in the history of the world's manners, the discursive allusions to it in the old numbers of "Notes and Queries" hinting to me the desirability of a more systematic mode of treatment. To bibliographers and literary historians I conceived that such a work might prove of utility and interest, and possibly serve to others as an introduction and incentive to a branch of our literary history that is not without its fascination. But I must also own to a less unselfish motive, for I imagined that not without its reward of delight would be a temporary sojourn among the books which, for their boldness of utterance or unconventional opinions, were not only not received by the best literary society of their day, but were with ignominy expelled from it. Nor was I wrong in my calculation.*

*But could I impart or convey the same delight to others? Clearly all that I could do was to invite them to enter on the same road, myself only subserving the humble functions of a signpost. I could avoid merely compiling for them a bibliographical dictionary, but I could not treat at length of each offender in my catalogue, without, in so exhausting my subject, exhausting at the same time my reader's patience. I have tried therefore to give something of the life of their history and times to the authors with whom I came in contact; to cast a little light on the idiosyncrasies or misfortunes of this one or of that; but to do them full justice, and to enable the reader to make their complete acquaintance, how was that possible with any regard for the laws of literary proportion? All I could do was to aim at something less dull than a dictionary, but something far short of a history.*

*I trust that no one will be either attracted or alarmed by any anticipations suggested by the title of my book. Although primarily a book for the library, it is also one of which no drawing-room table need be the least afraid. If I have found anything in my condemned authors which they would have done better to have left unsaid, I have, in referring to their fortunes, felt under no compulsion to reproduce their indiscretions. But, in all of them put together, I doubt whether there is as much to offend a scrupulous taste as in many a latter-day novel, the claim of which to the distinction of burning is often as indisputable as the certainty of its regrettable immunity from that fiery but fitting fate.*

*The custom I write about suggests some obvious reflections on the mutability of our national manners. Was the wisdom of our ancestors really so*

*much greater than our own, as many profess to believe? If so, it is strange with how much of that wisdom we have learnt to dispense. One by one their old customs have fallen away from us, and I fancy that if any gentleman could come back to us from the seventeenth century, he would be less astonished by the novel sights he would see than by the old familiar sights he would miss. He would see no one standing in the pillory, no one being burnt at a stake, no one being "swum" for witchcraft, no one's veracity being tested by torture, and, above all, no hangman burning books at Cheapside, no unfortunate authors being flogged all the way from Fleet Street to Westminster. The absence of these things would probably strike him more than even the railways and the telegraph wires. Returning with his old-world ideas, he would wonder how life and property had survived the*



*removal of their time-honoured props, or how, when all fear of punishment had been removed from the press, Church and State were still where he had left them. Reflecting on these things, he would recognise the fact that he himself had been living in an age of barbarism from which we, his posterity, were in process of gradual emergence. What vistas of still further improvement would not then be conjured up before his mind!*

*We can hardly wonder at our ancestors burning books when we recollect their readiness to burn one another. It was not till the year 1790 that women ceased to be liable to be burnt alive for high or for petit treason, and Blackstone found nothing to say against it. He saw nothing unfair in burning a woman for coining, but in only hanging a man. "The punishment of petit treason," he says, "in a man is to be drawn and hanged, and*

*in a woman to be drawn and burned ; the idea of which latter punishment seems to have been handed down to us by the ancient Druids, which condemned a woman to be burnt for murdering her husband, and it is now the usual punishment for all sorts of treasons committed by those of the female sex."* Not a suspicion seems to have crossed the great jurist's mind that the supposed barbarity of the Druids was not altogether a conclusive justification for the barbarity of his own contemporaries. So let us take warning from his example, and let the history of our practice of book-burning serve to help us to keep our minds open with regard to anomalies which may still exist amongst us, descended from as suspicious an origin, and as little supported by reason.

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## BOOKS CONDEMNED TO BE BURNT.



### INTRODUCTION.

**T**HERE is the sort of attraction that belongs to all forbidden fruit in books which some public authority has condemned to the flames. And seeing that to collect something is a large part of the secret of human happiness, it occurred to me that a variety of the happiness that is sought in book collecting might be found in making a collection of books of this sort. I have, therefore, put together the following narrative of our burnt literature as some kind of aid to any book-lover who shall choose to take my hint and make the peculiarity I have indicated the key-note to the formation of his library.

But the aid I offer is confined to books

## 2 Books Condemned to be Burnt.

so condemned in the United Kingdom. Those who would pursue the study farther afield, and extend their wishes beyond the four seas, will find all the aid they need or desire in Peignot's admirable *Dictionnaire Critique, Littéraire, et Bibliographique des principaux Livres condamnés au feu, supprimés ou censurés* : Paris, 1806. To have extended my studies to cover this wider ground would have swollen my book as well as my labour beyond the limits of my inclination. I may mention that Hart's *Index Expurgatorius* covers this wider ground for England, as far as it goes.

Nevertheless, I may, perhaps, appropriately, by way of introduction, refer to some episodes and illustrations of book-burning, to show the place the custom had in the development of civilisation, and the distinction of good or bad company and ancient lineage enjoyed by such books as their punishment by burning entitles to places on the shelves of our fire-library. The custom was of pagan observance long before it passed into Christian practice ; and for its existence in Greece, and for the first instance I know of, I would refer to the once famous or notorious work of Protagoras, certainly one of the wisest philosophers or sophists of ancient times. He was the first



avowed Agnostic, for he wrote a work on the gods, of which the very first remark was that the existence of gods at all he could not himself either affirm or deny. For this offensive sentiment his book was publicly burnt; but Protagoras, could he have foreseen the future, might have esteemed himself happy to have lived before the Christian epoch, when authors came to share with their works the purifying process of fire. The world grew less humane as well as less sensible as it grew older, and came to think more of orthodoxy than of any other condition of the mind.

The virtuous Romans appear to have been greater book-burners than the Greeks, both under the Republic and under the Empire. It was the Senate's function to condemn books to the flames, and the prætor's to see that it was done, generally in the Forum. But for this evil habit we might still possess many valuable works, such as the books attributed to Numa on Pontifical law (Livy xl.), and those eulogies of Pætus Thræsea and Helvidius, which were burnt, and their authors put to death, under the tyranny of Domitian (Tacitus, Agricola 2). Let these cases suffice to connect the custom with Pagan Rome, and to prove that this

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particular mode of warring with the expression of free thought boasts its precedents in pre-Christian antiquity.

Nevertheless it is the custom as it was manifested in Christian times that has chief interest for us, because it is only with condemned books of this period that we have any chance of practical acquaintance. Some of these survived the flames, whilst none of antiquity's burning have come down to us. But on what principle it was that the burning authorities (in France generally the Parlement of Paris, or of the provinces), burnt some books, whilst others were only censured, condemned, or suppressed, I am unable to say, and I doubt whether any principle was involved. Peignot has noticed the chief books stigmatised by authority in all these various ways; but though undoubtedly this wider view is more philosophical, the view is quite comprehensive enough which confines itself to the consideration of books that were condemned to be burnt.

Books so treated may be classified according as they offended against (i) the religion, (ii) the morals, or (iii) the politics of the day, those against the first being by far the most numerous, and so admitting here of notice only of their most conspicuous specimens.

I. Of all the books burnt for offence under the first head, the most to be regretted, from an historical point of view, I take to be Porphyry's *Treatise against the Christians*, which was burnt A.D. 388 by order of Theodosius the Great. Porphyry believed that Daniel's prophecies had been written after the events foretold in them by some one who took the name of Daniel. It would have been interesting to have known Porphyry's grounds for this not improbable opinion, as well as his general charges against the Christians; and if there is anything in the tradition of the survival of a copy of Porphyry in one of the libraries of Florence, the testimony of the distinguished Platonist may yet enlighten us on the causes of the growing darkness of the age in which he lived.

All the books of the famous Abelard were burnt by order of Pope Innocent II.; but it was his *Treatise on the Trinity*, condemned by the Council of Soissons about 1121, and by the Council of Sens in 1140, which chiefly led St. Bernard to his cruel persecution of this famous man. That great saint, using the habitual language of ecclesiastical charity, called Abelard an infernal dragon and the precursor of Antichrist. Among his heresies Abelard

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seems to have held the opinion that the devil has no power over man; but at all events the Church had in those days, as Abelard learnt to his cost, though, considering that his disciple Arnauld of Brescia was destined to be burnt alive at Rome in 1155, Abelard might have deemed himself fortunate in only incurring imprisonment, and not sharing the fate of his works as well as that of his illustrious follower.

The latter calamity befell John Huss, who, having been led before the bishop's palace to see his own condemned works burnt, was then led on to be burnt himself, in 1415. Many of his works, however, were republished in the following century; but the twenty-nine errors which the Council of Constance detected in his work on the Church would probably nowadays seem venial enough. It was his misfortune to live in those days when the inhumanity of the world was at its climax.

It continued at that climax for some time, though heretical authors were not always burnt with their books. Enjedim, for instance, the Hungarian Socinian, who died in 1596, survived the burning in many places of his "Explanations of Difficult Passages of the Old and New

Testament, from which the Dogma of the Trinity is usually established" (*Explicationes locorum difficilium*, etc.). Peter d'Osma also, the Spanish theologian, whose *Treatise on Confession* was condemned by the Archbishop of Toledo in the fifteenth century, might have esteemed himself happy that only his chair shared the burning of his book. Pomponacius, an Italian professor of philosophy, whose *Treatise on the Immortality of the Soul* (1516), was burnt by the Venetians for the heretical opinion that the soul's immortality was not believed by Aristotle, and could only be proved by Scripture and the authority of the Church, seems to have died peacefully in 1526, albeit with the reputation of an atheist, which his writings do not support. Despériers was only imprisoned when his *Cymbalum Mundi*, censured by the Sorbonne, was consigned to the flames by the Parlement of Paris (March 7th, 1537). And Luther, all of whose works were condemned to be burnt by the Diet of Worms (1521), actually survived their burning twenty-five years, though he himself had publicly burnt at Wittenberg Leo X.'s bull, anathematising his books, as well as the Decretals of previous Popes.

Less fortunate than these were the



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famous martyrs of free thought, Dolet, Servetus, and Tyndale. All the works, which Dolet wrote or printed, were burnt as heretical by the Parlement of Paris (February 14th, 1543), and himself hanged and burnt three years later (August 3rd, 1546), at the age of thirty-seven. The reason seems chiefly to have been Dolet's unsparing exposure of the immoralities of monks and priests, and of the plan of the Sorbonne to put down the art of printing in France. In Peignot is preserved a long list of the names of the works to the publication of which he lent his aid.

The burning of Servetus, the Parisian doctor, at Geneva (October 27th, 1553), because his opinions on the Trinity did not agree with Calvin's, is of course the greatest blot on the memory of Calvin. All his books or manuscripts were burnt with him or elsewhere, so that his works are among the rarest of bibliographical treasures, and his *Christianismi Restitutio* (1553) is said to be the rarest book in the world. But apart from their rarity, I should hardly imagine that the works of Servetus possessed the slightest interest, or that their loss was the smallest loss to the literature of the world.

But if Calvin must bear the burden of

the death of Servetus, Christianity itself is responsible for the death of William Tyndale, who, deeming it desirable that his countrymen should possess in their own language the book on which their religion was founded, took the infinite trouble of translating the Scriptures into English. His New Testament was forthwith burnt in London, and himself after some years strangled and burnt at Antwerp (1536).

The same literary persecution continued in the next century, the seventeenth. Bissendorf perished at the hands of the executioner at the same time that his books, *Nodi gordii resolutio* (on the priestly calling), 1624, and *The Jesuits*, were burnt by the same agent. In the case of the *De Republicâ Ecclesiasticâ* (1617) by De Dominis, Christian savagery surpassed itself, for not only was it burnt by sentence of the Inquisition, but also the dead body of its author was exhumed for the purpose. Dominis had been a Jesuit for twenty years, then a bishop, and finally Archbishop of Spalatro. This office he gave up, and retired to England, where he might write with greater freedom than in Italy. There he wrote this work and a history of the Council of Trent. His chief offence was his advocacy of the

unchristian principles of toleration; he wished to reunite and reconcile the Christian communions. But alas for human frailty! he retracted his errors, many of them most sensible opinions, in London, and again at Rome, whither he returned. Pope Urban VIII., however, imprisoned him in the Castle of St. Angelo, where he is said to have died of poison, so that only his dead body was available to burn with his book the same year (1625). Literary lives were tragic in those times.

Simon Morin was burnt with all the copies of his *Pensées* that could be found, on the Place de Grève, at Paris, March 14th, 1663. Morin called himself the Son of Man, and such thoughts of his as survived the fire do not lead us in his case to grudge the flames their literary fuel. But it is curious to think that we are only two centuries from the time when the Parlement of Paris could pass such a sentence on such a sufferer.

The Parlement of Dijon condemned to be burnt by the executioner Morisot's *Ahitophili Veritatis Lacrymæ* (July 4th, 1625), but though this work was a violent satire upon the Jesuits, Morisot survived his book thirty-six years, the Jesuits revenging themselves with nothing worse.

than an epitaph, containing a bad pun, to the effect that their enemy, after a life not spent in wisdom, preferred to die as a fool (*Voluit mori-sot*).

In the same century Molinos, the Spanish priest, and founder of Quietism, wrote his *Conduite Spirituelle*, which was condemned to the flames for sixty-eight heretical propositions, whilst its author was consigned to the prisons of the Inquisition, where he died after eleven years of it (1696). Self-absorption of the soul in God to the point of complete indifference to anything done to or by the body, even to the sufferings of the latter in hell, was the doctrine of Quietism that led ecclesiastic authority to feel its usual alarm for consequences; and it must be admitted that similar doctrines have at times played sad havoc with Christian morality. But perhaps they helped Molinos the better to bear his imprisonment.

I may next refer to seventeenth-century writers who were fortunate enough not to share the burning of their books. (1) Wolkelius, a friend of Socinus, the edition of whose book *De Verâ Religione*, published at Amsterdam in 1645, was there burnt by order of the magistrates for its Socinian doctrines, appears to have lived for many years afterwards. Schlictingius,

a Polish follower of the same faith, escaped with expulsion from Poland, when the Diet condemned his book, *Confessio Fidei Christianæ*, to be burnt by the executioner. Sainte Foi, or Gerberon, whose *Miroir de la Vérité Chrétienne* was condemned by several bishops and archbishops, and burnt by order of the Parlement of Aix (1678), lived to write other works, of probably as little interest. La Peyrère was only imprisoned at Brussels for his book on the *Pre-adamites*, which was burnt at Paris (1655). And Pascal saw his famous *Lettres à un Provincial*, which made too free with the dignity of all authorities, secular and religious, twice burnt, once in French (1657), and once in Latin (1660), without himself incurring a similar penalty. So did Derodon, professor of philosophy at Nismes, outlive the *Disputatio* (1645), in which he made light of Cyril of Alexandria, and which was condemned and burnt by the Parlement of Toulouse for its opposition to some beliefs of Roman Catholicism.

Passing now to the eighteenth century, we find book-burning, then declining in England, in full vigour on the Continent.

The most important book that so suffered was Rousseau's admirable treatise



on education, entitled *Émile* (1762), condemned by the Parlement of Paris to be torn and burnt at the foot of its great staircase. It was also burnt at Geneva. Three years later the same writer's *Lettres de la Montagne* were sentenced by the same tribunal to the same fate. Not all burnt books should be read, but Rousseau's *Émile* is one that should be.

So should the Marquis de Langle's *Voyage en Espagne*, condemned to the flames in 1788, but translated into English, German, and Italian. De Langle anticipated this fate for his book if it ever passed the Pyrenees: "So much the better," said he; "the reader loves the books they burn, so does the publisher, and the author; it is his blue ribbon." But, considering that he wrote against the Inquisition, and similar inhumanities or follies of Catholicism, De Langle must have been surprised at the burning of his book in Paris itself.

A book at whose burning we may feel less surprise is the *Théologie Portative ou Dictionnaire abrégé de la Religion Chrétienne*, by the Abbé Bernier (1775), for a long time attributed to Voltaire, but really the work of an apostate monk, Dulaurent, who took refuge in Holland to write this and similar works.

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The number of books of a similar strong anti-Catholic tendency that were burnt in these years before the outbreak of the Revolution should be noticed as helping to explain that event. Their titles in most cases may suffice to indicate their nature. De la Mettrie's *L'homme Machine* (1748) was written and burnt in Holland, its author being a doctor, of whom Voltaire said that he was a madman who only wrote when he was drunk. Of a similar kind was the *Testament* of Jean Meslier, published posthumously in the *Evangile de la Raison*, and condemned to the flames about 1765. On June 11th, 1763, the Parlement of Paris ordered to be burnt an anonymous poem, called *La Religion à l'Assemblée du Clergé de France*, in which the writer depicted in dark colours the morals of the French bishops of the time (1762). On January 29th, 1768, was treated in the same way the *Histoire Impartiale des Jésuites* of Linguet, whose *Annales Politiques* in 1779 conducted him to the Bastille, and who ultimately died at the hands of the Revolutionary Tribunal (1794). But the 18th of August, 1770, is memorable for having seen all the seven following books sentenced to burning by the Parlement of Paris :—

1. Woolston's *Discours sur les Miracles de Jésus-Christ*, translated from the English (1727).

2. Boulanger's *Christianisme dévoilé*.

3. Freret's *Examen Critique des Apologistes de la Religion Chrétienne*, 1767.

4. The *Examen Impartial des Principales Religions du Monde*.

5. Baron d'Holbach's *Contagion Sacrée, or l'Histoire Naturelle de la Superstition*, 1768.

6. Holbach's *Système de la Nature ou des Lois du Monde Physique et du Monde Moral*.

7. Voltaire's *Dieu et les Hommes; œuvre théologique, mais raisonnable* (1769).

No one writer, indeed, of the eighteenth century contributed so many books to the flames as Voltaire. Besides the above work, the following of his works incurred the same fate:—(1) the *Lettres Philosophiques* (1733), (2) the *Cantique des Cantiques* (1759), (3) the *Dictionnaire Philosophique* (1764), also burnt at Geneva; (4) *L'Homme aux Quarante Écus* (1767), (5) *Le Dîner du Comte de Boulainvilliers* (1767). When we add to these burnings the fact that at least fourteen works of Voltaire were condemned, many others suppressed or forbidden, their author himself twice imprisoned in the Bastille, and

often persecuted or obliged to fly from France, we must admit that seldom or never had any writer so eventful a literary career.

II. Turning now to the books that were burnt for their real or supposed immoral tendency, I may refer briefly in chronological order to the following as the principal offenders, though of course there is not always a clear distinction between what was punished as immoral and punished as irreligious. This applies to the four volumes of the works of the Carmelite Mantuanus, published at Antwerp in 1576, of which nearly all the copies were burnt. This facile poet, who is said to have composed 59,000 verses, was especially severe against women and against the ecclesiastical profession. In 1664, the *Journal de Louis Gorin de Saint Amour*, a satirical work, was condemned, chiefly apparently because it contained the five propositions of Jansenius. In 1623, the Parlement of Paris condemned Théophile to be burnt with his book, *Le Parnasse des Poètes Satyriques*, but the author escaped with his burning in effigy, and with imprisonment in a dungeon. I am tempted to quote Théophile's impromptu reply to a man who asserted that all poets were fools:—

“Oui, je l'avoue avec vous  
 Que tous les poètes sont fous ;  
 Mais sachant ce que vous êtes  
 Tous les fous ne sont pas poètes.”

Hélot also escaped with a burning in effigy when his *L'Ecole des Filles* was burnt at the foot of the gallows (1672). Lyser, who spent his life and his property in the advocacy of polygamy, was threatened by Christian V. with capital punishment if he appeared in Denmark, and his *Discursus Politicus de Polygamia* was sentenced to public burning (1677).

In the eighteenth century (1717) Gigli's satire, the *Vocabulario di Santa Caterina e della lingua Sanese*; Dufresnoy's *Princesses Malabares, ou le Célibat Philosophique* (1734); Deslandes' *Pigmalion ou la Statue Animée* (1741); the Jesuit Busembaum's *Theologia Moralis* (which defends as an act of charity the commission to kill an excommunicated person), (1757); Tous-saint's *Les Mœurs* (1748); and the Abbé Talbert's satirical poem, *Langrognet aux Enfers* (1760),—seem to complete the list of the principal works burnt by public authority. And of these the best is Toussaint's, who in 1764 published an apology for or retraction of his *Mœurs*, which has far less claim upon public

attention than was obtained and merited by the original work.

III. Books condemned for some unpopular political tendency may likewise be arranged in the order of their centuries.

In the sixteenth, the most important are Louis d'Orléans' *Expostulatio* (1593), a violent attack on Henri IV., and condemned by the Parlement of Paris; Archbishop Générard's *De sacrarum electionum jure et necessitate ad Ecclesie Gallicanæ redintegrationem* (1593), condemned by the Parlement of Aix, and its author exiled. He maintained the right of the clergy and people to elect bishops against their nomination by the king. It is curious that the Parlement of Paris thought it necessary to burn the Jesuit Mariana's book *De Rege* (1599) as anti-monarchical, seeing that it appeared with the privilege of the King of Spain. He maintained the right of killing a king for the cause of religion, and called Jacques Clement's act of assassination France's everlasting glory (*Galliæ æternum decus*). But it is only fair to add that the superior of the Order disapproved of the work as much as the Sorbonne.

In the seventeenth century, I notice first the *Ecclesiasticus* of Scioppius, a work directed against our James I. and

Casaubon (1611). The libel having been burnt in London, and its author hanged and beaten in effigy before the king on the stage, was burnt in Paris by order of the Parlement, chiefly for its calumnies on Henri IV. The author, originally a Jesuit, has been called the Attila of writers, having been said to have known the abusive terms of all tongues, and to have had them on the tip of his own. He wrote 104 works, apparently of the violent sort, so that Casaubon called him, according to the style of learned men in those days, "the most cruel of all wild beasts," whilst the Jesuits called him "the public pest of letters and society."

The Senate of Venice caused to be burnt the *Della Liberta Veneta*, by a man who called himself Squitino (1612), because it denied the independence of the Republic, and asserted that the Emperor had rightful claims over it; and about the same time (1617) the Parlement of Paris consigned to the same penalty D'Aubigné's *Histoire Universelle* for the freedom of its satire on Charles IX., Henri III., Henri IV., and other French royal personages of the time. The second edition of D'Aubigné (1626) is the poorer for being shorn of these caustic passages.

The Jesuit Keller's *Admonitio ad*



*Ludovicum XIII.* (1625), and the same author's *Mysteria Politica* (1625), were both sentenced to be burnt; also the Jesuit Sanctarel's *Tractatus de Hæresi* (1625), which claimed for the Pope the right to dispose, not only of the thrones, but also of the lives of princes. This doctrine was approved by the General of the Jesuits, but, under threat of being accounted guilty of treason, expressly disclaimed by the Jesuits as a body. In resisting such pretensions, the Sorbonne deserved well of France and of humanity. In 1665, the Châtelet ordered to be burnt Claude Joly's *Recueil des Maximes véritables et importantes pour l'Institution du Roi, contre la fausse et pernicieuse politique de Cardinal prétendu surintendant de l'éducation de Louis XIV.* (1652); a book which, if it had been regarded instead of being burnt, might have altered the character of that pernicious devastator, and therefore of history itself, very much for the better. About the same time, Milton's *Pro Populo Anglicano Defensio*, not to be burnt in England till the Restoration, had a foretaste in Paris of its ultimate fate. Eustache le Noble's satire against the Dutch, *Dialogue d'Esopé et de Mercure*, and burnt by the executioner at Amsterdam, may complete the list

of political works that paid for their offences by fire in the seventeenth century.

The first to notice in the next century is Giannone's *Historia Civile de Regno di Napoli* (1723), in five volumes, burnt by the Inquisition, which, but for his escape, would have suppressed the author as well as his book, for his free criticism of Popes and ecclesiastics. His escape saved the eighteenth century from the reproach of burning a writer. Next deserves a passing allusion the *Historia Nostri Temporis*, by the once famous writer Emmius, whose posthumous book suffered at the hands of George Albert, Prince of East Frisia. The Parlement of Toulouse condemned Reboulet's *Histoire des Filles de la Congrégation de l'Enfance* (1734) for accusing Madame de Moudonville, the founder of that convent, of publishing libels against the king. That of Paris and Besançon condemned Boncerf's *Des Inconvéniens des Droits Féodaux* (1770).

The number, indeed, of political works burnt during the eighth decade of the last century is as remarkable as the number of religious books so treated about the same period: one of the lesser indications of the coming Revolution. During this decade were condemned: (1) Pidanzet's *Correspondance secrète et familière de Chan-*

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*celier Maupeon avec Sorhouet* (1771) for being blasphemous and seditious, and calculated to rouse people against government; a work that made sport of Maupeon and his Parlement. (2) Beaumarchais' *Mémoires* (1774), of the literary style of which Voltaire himself is said to have been jealous, but which was condemned to the flames for its imputations on the powers that were. (3) Lanjuinais' *Monarque Accompli* (1774), whose other title explains why it was condemned, as tending to sedition and revolt, *Prodiges de bonté, de savoir, et de sagesse, qui font l'éloge de Sa Majesté Impériale Joseph II., et qui rendent cet auguste monarque si précieux à l'humanité, discutés au tribunal de la raison et l'équité.* Lanjuinais, principal of a Catholic college in Switzerland, passed over to the Reformed Religion. (4) Martin de Marivaux's *L'Ami des Lois* (1775), a pamphlet, in which the author protested against the words put into the mouth of the king by Chancellor Maupeon, Sept. 7th, 1770: "We hold our Crown of God alone; the right of law-making, without dependence or partition, belongs to us alone." The author contended that the Crown was held only of the nation, and he excited the vengeance of the Crown by sending a copy of his work to each member of the

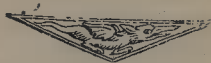
Parlement. At the same time, to the same penalty and for the same offence, was condemned to the flames *Le Catéchisme du Citoyen, ou Elémens du Droit public Français, par demandes et par réponses*; the episode, and the origin of the dispute, clearly pointing to the rapidly approaching Revolutionary whirlwind, the spirit of which these literary productions anticipated and expressed.

The last book I find to notice is the Abbé Raynal's *Histoire philosophique et politique des Etablissemens et du Commerce des Européens dans les Deux Indes*, published in 1771 at Geneva, and, after a first attempt at suppression in 1779, finally burnt by the order of the Parlement of Paris of May 25th, 1781, as impious, blasphemous, seditious, and the rest. Like many another eminent writer, Raynal had started as a Jesuit.

From the above illustrations of the practice abroad, we may turn to a more detailed account of its history in England. Although in France it was much more common than in England during the eighteenth century, it appears to have come to an end in both countries about the same time. I am not aware of any proofs that it survived the French Revolution, and it is probable that that event,

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directly or indirectly, put an end to it. In England it seems gradually to have dwindled, and to have become extinct before the end of the century. If the same was the case in other countries, it would afford another instance of the fundamental community of development which seems to govern at least our part of the civilised world, regardless of national differences or boundaries. The different countries of the world seem to throw off evil habits, or to acquire new habits, with a degree of simultaneity which is all the more remarkable for being the result of no sort of agreement. At one time, for instance, they throw off Jesuitism, at another the practice of torture, at another the judicial ordeal, at another burnings for heresy, at another trials for witchcraft, at another book-burning; and now the turn seems approaching of war, or the trade of professional murder. The custom here to be dealt with, therefore, holds its place in the history of humanity, and is as deserving of study as any other custom whose rise and decline constitute a phase in the world's development.





## CHAPTER I.

### SIXTEENTH CENTURY BOOK-FIRES.

**F**IRE, which is the destruction of so many things, and destined, according to old Indian belief, one day to destroy the world, is so peculiarly the enemy of books, that the worm itself is not more fatal to them. Whole libraries have fallen a prey to the flames, and oftener, alas! by design than accident; the warrior always, whether Alexander at Persepolis, Antiochus at Jerusalem, Cæsar and Omar at Alexandria, or General Ulrich at Strasburg (in 1870), esteeming it among the first duties of his barbarous calling to consign ideas and arts to destruction.

But these are the fires of indiscriminate rage, due to the natural antagonism between civilisation and military barbarism; it is fire, discriminately applied, that attaches a special interest and value to books condemned to it. Whether the sentence has come from Pope or Archbishop, Parliament or King, the book so

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sentenced has a claim on our curiosity, and as often on our respect as our disdain. Fire, indeed, has been spoken of as the blue ribbon of literature, and many a modern author may fairly regret that such a distinction is no longer attainable in these days of enlightened advertisement.

To collect books that have been dishonoured—or honoured—in this way, books that at the risk of heavy punishment have been saved from the public fire or the common hangman, is no mean amusement for a bibliophile. Some collect books for their bindings, some for their rarity, a minority for their contents ; but he who collects a fire-library makes all these considerations secondary to the associations of his books with the lives of their authors and their place in the history of ideas. Perhaps he is thereby the more rational collector, if reason at all need be considered in the matter ; for if my whim pleases myself, let him go hang who disdains or disapproves of it.

All the books of such a library are not, of course, suitable for general reading, there being not a few disgraceful ones among them that fully deserved the stigma intended for them. But most are innocent enough, and many of them as dull



as the authors of their condemnation ; whilst others, again, are so sparkling and well written that I wish it were possible to rescue them from the oblivion that enshrouds them even more thickly than the dust of centuries. The English books of this sort naturally stand apart from their foreign rivals, and may be roughly classified according as they deal with the affairs of State or Church. The original flavour has gone from many of them, like the scent from dried flowers, with the dispute or ephemeral motive that gave rise to them ; but a new flavour from that very fact has taken the place of the old, of the same sort that attaches to the relics of extinct religions or of bygone forms of life.

The history of our country since the days of printing is exactly reflected in its burnt literature, and so little has the public fire been any respecter of class or dignity, that no branch of intellectual activity has failed to contribute some author whose work, or works, has been consigned to the flames. Our greatest poets, philosophers, bishops, lawyers, novelists, heads of colleges, are all represented in my collection, forming indeed a motley but no insipid society, wherein the gravest questions of government and the deepest problems of speculation are

handled with freedom, and men who were most divided in their lives meet at last in a common bond of harmony. Cowell, the friend of prerogative, finds himself here side by side with Milton, the republican ; and Sacheverell, the high churchman, in close company with Tindal and Defoe.

For nearly 300 years the rude censorship of fire was applied to literature in England, beginning naturally in that fierce religious war we call the Reformation, which practically constitutes the history of England for some two centuries. The first grand occasion of book-burning was in response to the Pope's sentence against Martin Luther, when Wolsey went in state to St. Paul's, and many of Luther's publications were burned in the churchyard during a sermon against them by Fisher, Bishop of Rochester (1521).

But the first printed work by an Englishman that was so treated was actually the Gospel. The story is too familiar to repeat, of the two occasions on which Tyndale's New Testament in English was burnt before Old St. Paul's ; but in pausing to reflect that the book which met with this fiery fate, and whose author ultimately met with the same, is now sold in England by the million (for our received

version is substantially Tyndale's), one can only stand aghast at the irony of the fearful contrast, which so widely separated the labourer from his triumph. But perhaps we can scarcely wonder that our ancestors, after centuries of mental blindness, should have tried to burn the light they were unable to bear, causing it thereby only to shine the brighter.

It certainly spread with remarkable celerity; for in 1546 it became necessary to command all persons possessing them to deliver to the bishop, or sheriff, to be openly burnt, all works in English purporting to be written by Frith, Tyndale, Wicliff, Joye, Basil, Bale, Barnes, Coverdale, Turner, or Tracy. The extreme rarity and costliness of the works of these men are the measure of the completeness with which this order was carried out; but not of its success, for the ideas survived the books which contained them. A list of the books is given in Foxe (v. 566), and comprises twelve by Coverdale, twenty-eight by Bale, thirteen by Basil (*alias* Becon), ten by Frith, nine by Tyndale, seven by Joye, six by Turner, three by Barnes. Some of these may still be read, but more are non-existent. A complete account of them and their authors would almost amount to a history of the

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Reformation itself; but as they were burnt indiscriminately, as heretical books, they have not the same interest that attaches to books specifically condemned as heretical or seditious. Such of them, however, as a book-lover can light upon—and pay for—are, of course, treasures of the highest order.

Great numbers of books were burnt in the reigns of Edward VI. and Mary, but it is not till the reign of the latter that a particular book stands forward as maltreated in this way. And, indeed, so many men were burnt in the reign of Queen Mary, that the burning of particular books may well have passed unnoticed, though pyramids of Protestant volumes, as Mr. D'Israeli says, were burnt in those few years of intolerance rampant and triumphant. The *Historie of Italie*, by William Thomas (1549), is sometimes said (on what authority I know not) to have been not merely burnt, but burnt by the common hangman, at this time. If so, it is the first that achieved a distinction which is generally claimed for Prynne's *Histriomastix* (1633). The fact of the mere burning is of itself likely enough, for Thomas wrote very freely of the clergy at Rome and of Pope Paul III. : "By report, Rome is not without 40,000

harlots, maintained for the most part by the clergy and their followers." "Oh! what a world it is to see the pride and abomination that the churchmen there maintain." Yet Thomas himself had held a Church living, and had been clerk of the Council to Edward VI. He was among the ablest men of his time, and wrote, among other works, a lively defence of Henry VIII. in a work called *Peregryne*, on the title-page of which are these lines :

"He that dieth with honour, liveth for ever,  
And the defamed dead recovereth never."

And a sadly inglorious death was destined to be his own. For, shortly after Wyatt's insurrection, he was sent to the Tower, Wyatt at his own trial declaring that the conspiracy to assassinate Queen Mary when out walking was Thomas's, he himself having been opposed to it. For this cause, at all events, Thomas was hanged and quartered in May 1554, and his head set the next day upon London Bridge. He assured the crowd, in a speech before his execution, that he died for his country. Wood says he was of a hot, fiery spirit, that had sucked in damnable principles. Possibly they were not otherwise than sensible, for if he died on Wyatt's evi-

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dence alone, one cannot feel sure that he died justly. But had the insurrection only succeeded, it is curious to think what an amount of misery might have been spared to England, and how dark a page been lacking from the history of Christianity!

Thomas's book was republished in 1561: but the first edition, that of 1549, is, of course, the right one to possess; though its fate has caused it to be extremely rare.

Coming now to Queen Elizabeth's reign, the comparative rarity of book-burning is an additional testimony to the wisdom of her government. But (to say nothing of books that were prohibited or got their printers or authors into trouble) certain works, religious, political, and poetical, achieved the distinction of being publicly burnt, and they are works that curiously illustrate the manners of the time.

The most important under the first of these heads are the translations of the works of Hendrick Niclas, of Leyden, Father of the Family of Love, or House of Charity, which were thought dangerous enough to be burnt by Royal Proclamation on October 13th, 1579; so that such works as the *Joyful Message of the Kingdom, Peace upon Earth, the Prophecy of the Spirit of Love*, and others, are now

exceedingly rare and costly. There are many extracts from the first of these in Knewstub's *Confutation "of its monstrous and horrible blasphemies"* (1579), wherein I fail to recognise either the blasphemies or their confutation, nor do I find anything but sense in Niclas's letter to two daughters of Warwick, whom he seeks to dissuade from suffering death on a matter of conformity to certain Church ceremonies. He insists on the life or spirit of Christ as of more importance than any ceremony. "How well would they do who do now extol themselves before the simple, and say that they are the preachers of Christ, if they would first learn to know Christ before they made themselves ministers of Him!" "Whatever is served without the Spirit of Christ, it is an abomination to God." Nevertheless the young persons seem to have preferred death to his very sensible advice.

Probably the Family of Love were misunderstood and misrepresented, both as regards their doctrines and their practices. Camden says that "under a show of singular integrity and sanctity they insinuated themselves into the affections of the ignorant common people"; that they regarded as reprobate all outside their Family, and deemed it lawful to deny on



oath whatsoever they pleased. Niclas, according to Fuller, "wanted learning in himself and hated it in others." This is a failing so common as to be very probable, as it also is, that his disciples allegorised the Scriptures (like the Alexandrian Fathers before them), and counterfeited revelations. Fuller adds that they "grieved the Comforter, charging all their sins on God's Spirit, for not effectually assisting them against the same . . . sinning on design that their wickedness might be a foil to God's mercy, to set it off the brighter." But that they were Communists, Anarchists, or Libertines, there is no evidence; and the Queen's menial servant who wrote and presented to Parliament an apology for the Service of Love probably complained with justice of their being "defamed with many manner of false reports and lies." This availed nothing, however, against public opinion; and so the Queen commanded by proclamation "that the civil magistrate should be assistant to the ecclesiastical, and that the books should be publicly burnt." The sect, however, long survived the burning of its books.

But already it was not enough to burn books of an unpopular tendency, cruelty against the author being plainly progres-

sive from this time forward to the atrocious penalties afterwards associated with the presence of Laud in the Star Chamber. All our histories tell of John Stubbs, of Lincoln's Inn, who, when his right hand had been cut off for a literary work, with his left hand waved his hat from his head and cried, "Long live the Queen!" The punishment was out of all proportion to the offence. Men had a right to feel anxious when Elizabeth seemed on the point of marrying the Catholic Duke of Anjou. They remembered the days of Mary, and feared, with reason, the return of Catholicism. Stubbs gave expression to this fear in a work entitled the *Discoverie of a Gaping Gulf whereinto England is like to be swallowed by another French marriage, if the Lord forbid not the banes by letting her Majestie see the sin and punishment thereof* (1579). Page, the disperser of the book, suffered the same penalty as its author.

The book made a great stir and was widely circulated, much to the vexation of the Queen. On September 27th appeared a very long proclamation calling it "a lewd, seditious book . . . bolstered up with manifest lies, &c.," and commanding it, wherever found, "to be destroyed (= burnt) in open sight of some

public officer." The book itself is written with moderation and respect, if we make allowance for the questionable taste of writing on so delicate a subject at all. It is true that he calls France "a den of idolatry, a kingdom of darkness, confessing Belial and serving Baal"; nor does he spare the personal character of the Duke himself: he only desires that her Majesty may marry with such a house and such a person "as had not provoked the vengeance of the Lord." But plain speaking was needed, and it is possible that the offensive book had something to do with saving the Queen from a great folly and the nation from as great a danger.

Stubbs, one is glad to find, though maimed, was neither disgraced nor disheartened by his misfortune. He learnt to write with his left hand, and wrote so much better with that than many people with their right, that Lord Burleigh employed him many years afterwards (1587) to compose an answer to Cardinal Allen's work, *A Modest Answer to English Persecutors*. After that I lose sight of Stubbs.

The strong feeling against Episcopacy, which first meets us in works like Fish's *Supplication of Beggars*, or Tyndale's *Practice of Prelates*, and which found vent at last, as a powerful contributory cause,

in the Revolution of the seventeenth century, was most clearly pronounced under Elizabeth in the famous tracts known as those of Martin Marprelate; and among these most bitterly in a small work that was burnt by order of the bishops, entitled a *Dialogue wherein is plainly laide open the tyrannical dealing of Lord Bishops against God's Church, with certain points of doctrine, wherein they approve themselves (according to D. Bridges his judgement) to be truly Bishops of the Divell* (1589). This is shown in a sprightly dialogue between a Puritan and a Papist, a jack of both sides, and an Idol (*i.e.*, church) minister, wherein the most is made of such facts as that the Bishop of St. David's was summoned before the High Commission for having two wives living, and that Bishop Culpepper, of Oxford, was fond of hawking and hunting. It is significant that this little tract was reprinted in 1640, on the eve of the Revolution.

I pass now to a book of great political and historical interest: *The Conference about the Succession to the Crown of England* (1594), attributed to Doleman, but really the handiwork of Parsons, the Jesuit, Cardinal Allen, and others. In the first part, a civil lawyer shows at length that lineal descent and propinquity of blood

are not of themselves sufficient title to the Crown ; whilst in the second part a temporal lawyer discusses the titles of particular claimants to the succession of Queen Elizabeth. Among these, that of the Earl of Essex, to whom the book was dedicated, is discussed ; the object of the book being to baffle the title of King James to the succession, and to fix it either on Essex or the Infanta of Spain. No wonder it gave great offence to the Queen, for it advocated also the lawfulness of deposing her ; and it throws some light on those intrigues with the Jesuits which at one time formed so marked an incident in the eventful career of that unfortunate earl. Great efforts were made to suppress it, and there is a tradition that the printer was hanged, drawn, and quartered.

The book itself has played no small part in our history, for not only was Milton's *Defensio* mainly taken from it, but it formed the chief part of Bradshaw's long speech at the condemnation of Charles I. In 1681, when Parliament was debating the subject of the exclusion of the Duke of York from the succession, it was thought well to reprint it ; but only two years later it was among the books which had the honour of being condemned to the flames

by the University of Oxford, in its famous and loyal book-fire of 1683 (see p. 194).

But if the history of the book was eventful, how much more so was that of its chief author, the famous Robert Parsons, first of Balliol College, and then of the Order of Jesus! Parsons was a very prince of intrigue. To say that he actually tried to persuade Philip II. to send a second Armada; that he tried to persuade the Earl of Derby to raise a rebellion, and then is suspected of having poisoned him for not consenting; that he instigated an English Jesuit to try to assassinate the Queen; and, among other plans, wished to get the Pope and the Kings of France and Spain to appoint a Catholic successor to Elizabeth, and to support their nominee by an armed confederacy, is to give but the meagre outline of his energetic career. The blacksmith's son certainly made no small use of his time and abilities. His life is the history in miniature of that of his order as a body; that same body whose enormous establishments in England at this day are in such bold defiance of the Catholic Emancipation Act, which makes even their residence in this kingdom illegal.

Doleman's *Conference* was answered in a little book by Peter Wentworth, entitled

*A Pithy Exhortation to Her Majesty for establishing her Successor to the Crown*, in which the author advocated the claims of James I. The book was written in terms of great humility and respect, the author not being ignorant, as he quaintly says, "that the anger of a Prince is as the roaring of a Lyon, and even the messenger of Death." But this he was to learn by personal experience, for the Queen, incensed with him for venturing to advise her, not only had his book burnt, but sent him to the Tower, where, like so many others, he died. So at least says a printed slip in the Grenville copy of his book.

But Wentworth is better and more deservedly remembered for his speeches than for his book—his famous speeches in 1575, and again in 1587, in Parliament in defence of the Commons' Right of Free Speech, for both of which he was temporarily committed to the Tower. Rumours of what would please or displease the Queen, or messages from the Queen, like that prohibiting the House to interfere in matters of religion, in those days reduced the voice of the House to a nullity. Wentworth's chief question was, "Whether this Council be not a place for any member of the



same here assembled, freely and without control of any person or danger of laws, by bill or speech to utter any of the griefs of this Commonwealth whatsoever, touching the service of God, the safety of the prince and this noble realm." Yet so servile was the House of that period, that on both occasions it disclaimed and condemned its advocate—on the first occasion actually not allowing him to finish his speech. Yet, fortunately, both his speeches live, well reported in the Parliamentary Debates.

To pass from politics to poetry; little as Archbishop Whitgift's proceedings in the High Commission endear his name to posterity, I am inclined to think he may be forgiven for cleansing Stationers' Hall by fire, in 1599, of certain works purporting to be poetical; such works, namely, as Marlowe's *Elegies of Ovid*, which appeared in company with Davies's *Epigrammes*, Marston's *Metamorphosis of Pigmalion's Image*, Hall's *Satires*, and Cutwode's *Caltha Poetarum; or, The Bumble Bee*. The latter is a fantastic poem of 187 stanzas about a bee and a marigold, and deserved the fire rather for its insipidity than for the reasons which justified the cleansing process applied to the others, the youthful productions of men

who were destined to attain celebrity in very different directions of life.

Marlowe, like Shakespeare, from an actor became a writer of plays; but though Ben Jonson extolled his "mighty muse," I doubt whether his *Edward II.*, *Dr. Faustus*, or *Jew of Malta*, are now widely popular. Anthony Wood has left a very disagreeable picture of Marlowe's character, which one would fain hope is overdrawn; but the dramatist's early death in a low quarrel prevented him from ever redeeming his early offences, as a kinder fortune permitted to his companions in the Stationers' bonfire.

Marston came to be more distinguished for his *Satires* than for his plays, his *Scourge of Villainie* being his chief title to fame. Of his *Pigmalion* all that can be said is, that it is not quite so bad as Marlowe's *Elegies*. Warton justly says, with pompous euphemism: "His stream of poetry, if sometimes bright and unpolluted, almost always betrays a muddy bottom." But this muddy bottom is discernible, not in Marston alone, but also in Hall's *Virgidemiarum*, or *Satires*, of which Warton did all he could to revive the popularity. Hall was Marston's rival at Cambridge, but Hall claims to be the first English satirist. He took Juvenal for

his model, but the Latin of Juvenal seems to me far less obscure than the English of Hall. I quote two lines to show what this Cambridge student thought of the great Elizabethan period in which he lived. Referring to some remote golden age, he says :—

“Then men were men ; but now the greater part  
Beasts are in life, and women are in heart.”

But strange are the evolutions of men. The author of the burnt satires rose from dignity to dignity in the Church. He became successively Bishop of Exeter and Bishop of Norwich, and to this day his devotional works are read by thousands who have never heard of his satires. He was sent as a deputy to the famous Synod of Dort, and was faithful to his Church and king through the Civil War. For this in his old age he suffered sequestration and imprisonment, and he lived to see his cathedral turned into a barrack, and his palace into an ale-house, dying shortly before the Restoration, in 1656, at the age of 82. Bayle thought him worthy of a place in his Dictionary, but he is still worthier of a place in our memories as one of those great English bishops who, like Burnet, Butler, or Tillotson, never put their Church before their humanity,

but showed (what needed showing) that the Christianity of the clergy was not of necessity synonymous with the absolute negation of charity.

Davies, too, Marlowe's early friend, rose to fame both as a poet and a statesman. But he began badly. He was disbarred from the Middle Temple for breaking a club over the head of another law student in the very dining-hall. After that he became member for Corfe Castle, and then successively Solicitor-General and Attorney-General for Ireland. He was knighted in 1607. One of the best books on that unhappy country is his *Discovery of the true causes why Ireland was never entirely subdued, nor brought under obedience of the Crown of England until the beginning of Her Majesty's happy reign* (1611), dedicated to James I. His chief poems are his *Nosce Teipsum* and *The Orchestra*. In 1614 he was elected for Newcastle-under-Lyme, and he died in 1626, aged only 57. Yet in that time he had travelled a long way from the days of his early literary companionship with Christopher Marlowe.

The Church at the end of the sixteenth century assuredly aimed high. At the time the above books were burnt, it was decreed that no satires or epigrams should

be printed in the future ; and that no plays should be printed without the inspection and permission of the Archbishop of Canterbury and the Bishop of London ! But even this is nothing compared with that later attempt to subject the Press to the Church which called forth Milton's *Areopagitica* ; there indeed soon came to be very little to choose between the Inquisition of the High Commission and the more noxious Inquisition of Rome.

Near to the burnt works of the previous writers must be placed those of that prolific writer of the same period, Samuel Rowlands. The severity of his satire, and the obviousness of the allusions, caused two of his works to be burnt, first publicly, and then in the hall kitchen of the Stationers' Company, in October 1600. These were : *The Letting Humour's Blood in the Headvein*, and, *A Merry Meeting ; or, 'tis Merry when Knaves meet* ; both of which subsequently reappeared under the titles respectively of *Humour's Ordinarie, where a man may be verie merrie and exceeding well used for his sixpence*, and the *Knave of Clubs*. Either work would now cost much more than sixpence, and probably fail to make the reader very merry, or even merry at all. One of the epigrams, however, of the first work may be quoted

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as of more than ephemeral truth and interest :—

“ Who seeks to please all men each way,  
And not himself offend,  
He may begin his work to-day,  
But God knows when he'll end.”

Little appears to be known of Rowlands, but, like Bishop Hall, he could turn his pen to various purposes with great facility ; for the prayers which he is thought to have composed, and which are published with the rest of his works in the admirable edition of 1870, are of as high an order of merit as the religious works of his more famous contemporary.

The only wonder is that the Archbishop did not enforce the burning of much more of the literature of the Elizabethan period, whilst he was engaged on such a crusade. He may well, however, have shrunk appalled from the magnitude of the task, and have thought it better to touch the margin than do nothing at all. And, after all, in those days a poet was lucky if they only burnt his poems, and not himself as well. In 1619 John Williams, barrister, was actually hanged, drawn, and quartered, for two poems which were not even printed, but which exist in manuscript at Cambridge to this day. These were *Balaam's Ass* and the *Speculum Regale*.

Williams was indiscreet enough to predict the King's death in 1621, and to send the poems secretly to his Majesty in a box. The odd thing is that he thought himself justly punished for his foolish freak, so very peculiar were men's notions of justice in those far-off barbarous days.





## CHAPTER II.

### BOOK-FIRES UNDER JAMES I.

**D**ESPITE Mr. D'Israeli's able defence of him, the fashion has survived of speaking disdainfully of James I. and all his works. The military men of his day, hating him for that wise love of peace which saved us at least from one war on the Continent, complained of a king who preferred to wage war with the pen than with the pike, and vented his anger on paper instead of with powder. But for all that, the patron and friend of Ben Jonson, and the constant promoter of arts and letters, was one of the best literary workmen of his time; nor will any one who dips into his works fail to put them aside without a considerably higher estimate than he had before of the ability of the most learned king that ever occupied the British throne—a monarch unapproached by any of his successors, save William III., in any sort of intellectual power.



Yet here our admiration for James I. must perforce stop. For of many of his ideas the only excuse is that they were those of his age; and this is an excuse that is fatal to a claim to the highest order of merit. All men to some extent are the sport and victims of their intellectual surroundings; but it is the mark of superiority to rise above them, and this James I. often failed to do. He cannot, for instance, in this respect compare with a man whose works he persecuted, namely, Reginald Scot, who in 1584 published his immortal *Discoverie of Witchcraft*, a book which, alike for its motive as its matter, occupies one of the highest places in the history of the literature of Europe.

Yet Scot was only a Kentish country gentleman, who gave himself up solely, says Wood, to solid reading and the perusal of obscure but neglected authors, diversifying his studies with agriculture, and so producing the first extant treatise on hops. Nevertheless, he is among the heroes of the world, greater for me at least than any one of our most famous generals, for it was at the risk of his life that he wrote, as he says himself, "in behalf of the poor, the aged, and the simple"; and if he has no monument in our English Pantheon, he has a better and more

abiding one in the hearts of all the well-wishers of humanity. For his reading led him to the assault of one of the best established, most sacred, yet most stupid, of the superstitions of mankind; and to have exposed both the folly of the belief, and the cruelty of the legal punishments, of witchcraft, more justly entitles his memory to honour than the capture of many stormed cities or the butchery of thousands of his fellow-beings on a battlefield.

How trite is the argument that this or that belief must be true because so many generations have believed it, so many countries, so many famous men,—as if error, like stolen property, gained a title from prescription of time! Scot pierced this pretension with a single sentence: "Truth must not be measured by time, for every old opinion is not sound." "My great adversaries," he says, "are young ignorance and old custom. For what folly soever tract of time hath fostered, it is so superstitiously pursued of some as though no error could be acquainted with custom." May we not say, indeed, that beliefs are rendered suspect by the very extent of their currency and acceptance?

But Scot had a greater adversary than even young ignorance or old custom; and that was King James, who, whilst King of

Scotland, wrote his *Demonologie* against Scot's ideas (1597). James's mind was strictly Bible-bound, and for him the disbelief in witches savoured of Sadduceeism, or the denial of spirits. Yet Scot had taken care to guard himself, for he wrote : "I deny not that there are witches or images ; but I detest the idolatrous opinions conceived of them." Nor can James have carefully read Scot, for tacked on to the *Discoverie* is a *Discourse of Devils and Spirits*, which to the simplest Sadducee would have been the veriest trash. Scot, for instance, says of the devil that "God created him purposely to destroy. I take his substance to be such as no man can by learning define, nor by wisdom search out"; a conclusion surely as wise as the theology is curious. Anyhow it is the very reverse of Sadduceean. It is said that one of the first proceedings of James's reign was to have all the copies of Scot's book burnt that could be seized, and undoubtedly one of the first of his Acts of Parliament was the statute that made all the devices of witchcraft punishable with death, as felony, without benefit of clergy.

But about the burning there is room for doubt. For there is no English contemporary testimony of the fact. Voet, a professor

of theology in Holland, is its only known contemporary witness ; but he may have assumed the suppression of the book to have been identical with its burning ; a common assumption, but a no less common mistake. On the other hand, many books undoubtedly were burnt under James that are not mentioned by name ; and the great rarity of the first edition of the book, and its absence from some of our principal libraries, support the possibility of its having been among them.<sup>1</sup> Nevertheless, to quote Mr. D'Israeli : " On the King's arrival in England, having discovered the numerous impostures and illusions which he had often referred to as authorities, he grew suspicious of the whole system of *Dæmonologie*, and at length recanted it entirely. With the same conscientious zeal James had written the book, the King condemned it ; and the sovereign separated himself from the author, in the cause of truth ; but the clergy and the Parliament persisted in making the imaginary crime felony by the statute." So that if James really burnt the book, he must have burnt it to please others, not himself ; and though

<sup>1</sup> That is Dr. Brinsley Nicholson's conclusion in his preface to *Scot* ; yet, if the book was burnt, it is highly improbable that the common hangman officiated.

he may have done so, the presumption is rather that he did not.

The wonder is that Scot himself escaped the real or supposed fate of his book. Pleasing indeed is it to know that he lived out his days undisturbed to the end (1599) with his family and among his hops and flowers in Kent ; not, however, before he had lived to see his book make a perceptible impression on the magistracy and even on the clergy of his time, till a perceptible check was given to his ideas by the *Demonologie*. But at all events he had given superstition a reeling blow, from which it never wholly recovered, and to which it ultimately succumbed. More than this can few men hope to do, and to have done so much is ample cause for contentment.

Fundamental questions of all sorts were growing critical in the reign of James, who had not only the clearest ideas of their answer, but the firmest determination to have them, if possible, answered in his own way. The principal ones were : The relationship of the King to his subjects ; of the Pope to kings ; of the Established Church to Puritanism and Catholicism. And on the leading political and religious questions of his day James caused certain books to be burnt which advocated opinions contrary to his own—a mode of

reasoning that reflects less credit on his philosophy than does his conduct in most other respects.

But the first book that was burnt for its sentiments on Prerogative was one of which the King was believed personally to approve. This was probably the gist of its offence, for it appeared about the time that the King made his very supercilious speech to the Commons in answer to their complaints about the High Commission and other grievances.

I allude to the famous *Interpreter* (1607) by Cowell, Doctor of Civil Law at Cambridge, which, written at the instigation of Archbishop Bancroft, was dedicated to him, and caused a storm little dreamt of by its author. Sir E. Coke disliked Cowell, whom he nicknamed Cow-heel, and naturally disliked him still more for writing slightly of Littleton and the Common Law. He therefore caused Parliament to take the matter up, with the result that Cowell was imprisoned and came near to hanging;<sup>1</sup> James only saving his life by suppressing his book by proclamation, for which the Commons returned him thanks with great exultation over their victory.

<sup>1</sup> Winwood's *Memorials*, I. 125.

For Cowell had taken too strongly the high monarchical line, and the episode of his book is really the first engagement in that great war between Prerogative and People which raged through the seventeenth century. "I hold it uncontrollable," he wrote, "that the King of England is an absolute king." "Though it be a merciful policy, and also a politic policy (not alterable without great peril) to make laws by the consent of the whole realm . . . yet simply to bind the prince to or by these laws were repugnant to the nature and custom of an absolute monarchy." "For those regalities which are of the higher nature there is not one that belonged to the most absolute prince in the world which doth not also belong to our King." But the book was condemned, not only for its sins against the Subject, but also for passages that were said to pinch on the authority of the King. Yet, considered merely as a Law Dictionary, it is still one of the best in our language.

In the King's proclamation against the *Interpreter* are some passages that curiously illustrate the mind of its author. He thus complains of the growing freedom of thought: "From the very highest mysteries of the Godhead and the most inscrutable counsels in the Trinitie to the

very lowest pit of Hell and the confused action of the divells there, there is nothing now unsearched into by the curiositie of men's brains"; so that "it is no wonder that they do not spare to wade in all the deepest mysteries that belong to the persons or the state of Kinges and Princes, that are gods upon earth." King James's attitude to Free Thought reminds one of the legendary contention between Canute and the sea. No one has ever repeated the latter experiment, but how many thousands still disquiet themselves, as James did, about or against the progress of the human mind !

In the proclamation itself there is no actual mention of burning, all persons in possession of the book being required to deliver their copies to the Lord Mayor or County Sheriffs "for the further order of its utter suppression" (March 25th, 1610); neither is there any allusion to burning in the Parliamentary journals, nor in the letters relating to the subject in Winwood's *Memorials*. The contemporary evidence of the fact is, however, supplied by Sir H. Spelman, who says in his *Glossarium* (under the word "Tenure") that Cowell's book was publicly burnt. Otherwise, James's proclamations were not always attended to (by one, for instance,



he prohibited hunting); and Roger Coke says that the books being out, "the proclamation could not call them in, but only served to make them more taken notice of."<sup>1</sup>

That books were often suppressed or called in without being publicly burnt is well shown by Heylin's remark about Mocket's book (presently referred to), that it was "thought fit not only to call it in, but to expiate the errors of it in a public flame."<sup>2</sup> Among works thus suppressed without being burnt may be mentioned Bishop Thornborough's two books in favour of the union between England and Scotland (1604), Lord Coke's Speech and Charge at the Norwich Assizes (1607), and Sir W. Raleigh's first volume of the *History of the World* (1614). I suspect that Scott's *Discoverie* was likewise only suppressed, and that Voet erroneously thought that this involved and implied a public burning.

But it was not for long that James had saved Cowell's life, for the latter's death the following year, and soon after the resignation of his professorship, is said by Fuller to have been hastened by the trouble about his book. The King through-

<sup>1</sup> *Detection of Court and State of England* (1696), I. 30.

<sup>2</sup> *Life of Laud*, 70.

out behaved with great judgment, nor is it so true that he surrendered Cowell to his enemies, as that he saved him from imminent personal peril. Men like Cowell and Blackwood and Bancroft were probably more monarchical than the monarch himself; and, though James held high notions of his own powers, and could even hint at being a god upon earth, his subjects were far more ready to accept his divinity than he was to force it upon them. It was not quite for nothing that James had had for his tutor the republican George Buchanan, one of the first opponents of monarchical absolutism in his famous *De Jure Regni apud Scotos*; nor did he ever quite forget the noble words in which at his first Parliament he thus defined for ever the position of a constitutional king: "That I am a servant it is most true, that as I am head and governor of all the people in my dominion who are my natural vassals and subjects, considering them in numbers and distinct ranks: so, if we will take the whole people as one body and mass, then, as the head is ordained for the body and not the body for the head, so must a righteous king know himself to be ordained for his people and not his people for him. . . . *I will never be ashamed to confess it my principal honour*

to be the great servant of the Commonwealth." ]

And in this very matter of Cowell's book James not only denied any preference for the civil over the common law, but professed "that, although he knew how great and large a king's rights and prerogatives were, yet that he would never affect nor seek to extend his beyond the prescription and limits of the municipal laws and customs of this realm."<sup>1</sup>

A few years later Sir Walter Raleigh's first volume of his *History of the World* was called in at the King's command, "especially for being too saucy in censuring princes." This fate its wonderful author took greatly to heart, as he had hoped thereby to please the King extraordinarily;<sup>2</sup> and, considering the terms wherewith in his preface he pointed the contrast between James and our previous rulers, one cannot but share his astonishment.

This would seem to indicate that the King grew more sensitive about his position as time went on; and this conclusion is corroborated by his extraordinary conduct in reference to the works of David

<sup>1</sup> Winwood's *Memorials*, III. 136.

<sup>2</sup> Letter of January 5th, 1614, in *Court and Times of James I.*

Paræus, the learned Protestant Professor of Divinity at Heidelberg. One can conceive no mortal soul ever reading those three vast folios of closely printed Latin in which Paræus commented on the Old and New Testament; but in those days people must have read everything. At all events, it was discovered that in his commentary on Romans xiii. Paræus had contended at great length and detail in favour of the people's right to restrain, even by force of arms, tyrannical violence on the part of the superior magistrate. On March 22nd, 1622, therefore, the Archbishop of Canterbury and twelve bishops, at the King's request, represented this doctrine to be most dangerous and seditious; and accordingly, on July 1st, the books of Paræus were publicly burnt after a sermon by the Bishop of London; and about the same time the Universities of Oxford and Cambridge, ever on the side of the divine right, proved their loyalty by condemning and burning the book, perhaps the only book whose condemnation never tempted to its perusal. But that very same year (August 22nd, 1622) the King found it necessary to issue directions concerning preaching and preachers, so freely was the Puritanical side of the community

then beginning to express itself about the royal prerogative.

As connected with the question of the prerogative must be mentioned, as burnt by James' order, the *Doctrina et Politia Ecclesiæ Anglicanæ* (1616), a Latin translation of the English Prayer Book, as well as of Jewell's *Apology* and Newell's *Catechism*, by Richard Mocket, then Warden of All Souls'. Mocket was chaplain to Archbishop Abbot, and wished to recommend the formularies and doctrines of the Church of England to foreign nations. History does not, indeed, record any deep impression as made on foreign nations by the book; though Heylin asserts that it had given no small reputation to the Church of England beyond the seas (*Laud*, 70); but it does record the fact of its being publicly burnt, as well as give some intimations of the reason. Fuller says that the main objection to it was, that Mocket had proved himself a better chaplain than subject, touching James in one of his tenderest points in contending for the right of the Archbishop of Canterbury to confirm the election of bishops in his province. Mocket also gave such extracts from the Homilies as seemed to have a Calvinistic leaning; and treated fast days as only of political institution.

For such reasons the book was burnt by public edict, a censure which the writer took so much to heart that, as Fuller says, being "so much defeated in his expectation to find punishment where he looked for preferment, as if his life were bound up by sympathy in his book, he ended his days soon after." Poor Mocket was only forty when he died, succumbing, like Cowell, to the rough reception accorded to his book.

Mocket's book is less one to read than to treasure as a sort of *lusus naturæ* in the literary world ; for it would certainly have seemed safe antecedently to wager a million to one that no Warden of All Souls' would ever write a book that would be subjected to the indignity of fire ; and, in spite of his example, I would still wager a million to one that a similar fate will never befall any literary work of Mocket's successors. Mocket's book, therefore, has a certain distinction which is all its own ; but those who do not love the Church of England without it will hardly be led to such love by reading Mocket. And Mocket himself, if we follow Fuller, seems to have wished to make his love for the Church a vehicle to his own preferment ; but as, perhaps, in that respect he does not stand alone, I should be sorry that the implied

reproach should rest as any stain upon his memory.

Next to the question of the rights of kings over their subjects, the most important one of that time was concerning the rights of popes over kings—a question which, having been intensified by the Reformation, naturally came to a crisis after the Gunpowder Plot. James I. then instituted an oath of allegiance as a test of Catholic loyalty, and many Catholics took the oath without scruple, including the Archpriest Blackwell. Cardinal Bellarmine thereupon wrote a letter of rebuke to the latter, and Pope Paul V. sent a brief forbidding Catholics either to take the oath or to attend Protestant churches (October 1606). But it is remarkable that, so little did the Catholics believe in the authenticity of this brief, another—and an angry one—had to come from Rome the following September, to confirm and enforce it. King James very fairly took umbrage at the action and claims of the Pope, and spent six days in making notes which he wished the Bishop of Winchester to use in a reply to the Pope and the Cardinal. But when the Archbishop of Canterbury and the Bishop of Ely saw the King's notes, they thought them answer enough, and so James's *Apology for the*

*Oath of Allegiance* came to light, but without his name, the author, among other reasons, deeming it beneath his dignity to contend in argument with a cardinal. As the Cardinal responded, the King took a stronger measure, and under his own name wrote, in a single week, his *Premonition to all most Mighty Monarchs*, wherein he exposed with great force the danger to all states from the pretensions of the Papacy. Thereupon, at Paul's invitation, Suarez penned that vast folio (778 pp.), the *Defensio Catholicæ Fidei contra Anglicanæ Sectæ Errores* (1613), as a counterblast to James's *Apology*. Considering the subject, it was certainly written with singular moderation; and James would have done better to have left the book to the natural penalty of its immense bulk. As it was, he ordered it to be burnt at London, and at Oxford and Cambridge; forbade his subjects to read it, under severe penalties; and wrote to Philip III. of Spain to complain of his Jesuit subject. But Philip, of course, only expressed his sympathy with Suarez, and exhorted James to return to the Faith. The Parlement of Paris also consigned the book to the flames in 1614, as it had a few years before Bellarmine's *Tractatus de Potestate summi Pontificis in Temporalibus*, in which the



same high pretensions were claimed for the Pope as were claimed by Suarez.

The question at issue remains, of course, a burning one to this day. To James I., however, is due the credit of having been one of the earliest and ablest champions against the Temporal Power; and therefore side by side on our shelves with Bellarmine and Suarez should stand copies of the *Apology* and the *Premonition*—both of them works which can scarcely fail to raise the King many degrees in the estimation of all who read them.

But we have yet to see James as a theologian, for on his divinity he prided himself no less than on his king-craft. The burnings of Legatt at Smithfield and of Wightman at Lichfield for heretical opinions are sad blots on the King's memory; for it would seem that he personally pressed the bishops to proceed to this extremity, in the case of Legatt at least. Nor in the case of poor Conrad Vorst did he manifest more toleration or dignity. It was no concern of his if Vorst was appointed by the States to succeed Arminius as Professor of Theology at Leyden; yet, deeming his duty as Defender of the Faith to be bound by no seas, he actually interfered to prevent it, and rendered Vorst's life a burden to him,

when he might just as reasonably have protested against the choice of a Grand Lama of Thibet.

Vorst's book—the *Tractatus Theologicus de Deo*, an ugly, square, brown book of five hundred pages—is as unreadable as it is unprepossessing. Bayle says that it was shown to the King whilst out hunting, and that he forthwith read it with such energy as to be able to despatch within an hour to his resident at the Hague a detailed list of its heresies. Nothing in his reign seems to have excited him so much. Not only did he have it publicly burnt in St. Paul's Churchyard (October 1611), and at Oxford and Cambridge, but he entreated the States, under the pain of the loss of his friendship, to banish Vorst from their dominions altogether. No heretic, he said, ever better deserved to be burnt, but that he would leave to their Christian wisdom. "Such a Disquisition deserved the punishment of the Inquisition." If Vorst remained, no English youths should repair to "so infected a place" as the University of Leyden.

The States resented at first the interference of the King of England, and supported Vorst, but the ultimate result of James's prolonged agitation was that in 1619 the National Synod of Dort de-

clared Vorst's works to be impious and blasphemous, and their author unworthy to be an orthodox professor. He was accordingly banished from the University and from Holland for life, and died three years afterwards, fully justified by his persecution in his original reluctance to exchange his country living for the dignity of a professorship of theology.

Bayle thinks he was fairly chargeable with Socinian views, but what most offended James was his metaphysical speculations on the Divine attributes. I will quote from Vorst two passages which vexed the royal soul, and should teach us to rejoice that the reign of such discussions shows signs of passing away :—

“ Is there a quantity in God ?

There is ; but not a physical quantity,

But a supernatural quantity ;

One nevertheless that is plainly imperceptible  
to us,

And merely spiritual.”

Or again :—

“ Hath God a body ? If we will speak properly, He has none ; yet is it no absurdity, speaking improperly, to ascribe a body unto God, that is, as the word is taken improperly and generally (and yet not very absurdly) for a true substance, in a large signification, or, if you will, abusive.”

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The above are the principal books whose names have come down to us as burnt in the reign of James, and the initiation of such burning seems always to have come from the King himself. As yet, the Star Chamber and Court of High Commission do not appear to have assumed the direction of this lesser but not unimportant department of government. Nor is there yet any mention of the hangman: the mere burning by any menial official being, thought stigma enough. It is also remarkable that the books which chiefly roused James's anger to the burning point were the works of foreigners—of Paræus, Suarez, and Vorst. After James our country was too much occupied in burning its own books and pamphlets to burden itself with the additional labour of burning its neighbours'; the instances that occur are comparatively few and far between. But it is clear that, whatever were James's real views as to the limits of his political prerogative, in the field of literature he meant to play and did play the despot. Pity that one who could so deftly wield his pen should have rested his final argument on the bonfire!



James  
1600



## CHAPTER III.

### CHARLES THE FIRST'S BOOK-FIRES.

**F**EW things now seem more surprising than the sort of fury with which in the earlier part of the seventeenth century the extreme rights of monarchs were advocated by large numbers of Englishmen. Political servitude was then the favourite dream of thousands. The Church made herself especially prominent on the side of prerogative ; the pulpits resounded with what our ancestors called Crown Divinity ; and in the reign of Charles I. the rival principles, ultimately fought for on the battlefield, first came into conflict over sermons, the immediate cause, indeed, of so many of the greatest political movements of our history.

The first episode in this connection is the important case of Dr. Roger Manwaring, one of Charles's chaplains, who, at the time when the King was pressing for a compulsory loan, preached two

sermons before him, advocating the King's right to impose any loan or tax without consent of Parliament, and, in fact, making a clean sweep of all the liberties of the subject whatsoever. At Charles's request, Manwaring published these sermons under the title of *Religion and Allegiance* (1627). But the popular party in Parliament resolved to make an example of him, and a long speech on the subject by Pym is preserved in Rushworth. The Commons begged the Lords to pronounce judgment upon him, and a most severe one they did pronounce. He was to be imprisoned during the House's pleasure; to be fined £1000 to the King; to make a written submission at the bars of both Houses; to be suspended for three years; to be disabled from ever preaching at Court, or holding any ecclesiastical or secular office; and the King was to be moved to grant a proclamation for calling in and burning his book.

On June 23rd, 1628, Manwaring made accordingly a most abject submission at the bars of both Houses, Heylin says, on his knees and with tears in his eyes, confessing his sermons to have been "full of dangerous passages, inferences, and scandalous aspersions in most parts"; and the next day Charles issued a procla-

mation for calling them in, as having incurred "the just censure and sentence of the High Court of Parliament." The sentence of suppression presumably in this case carried the burning; but, if so, there is no mention of any public burning by the bishops and others, to whom the books were to be delivered by their owners.

Fuller says that much of Manwaring's sentence was remitted in consideration of his humble submission; and Charles the very same year not only pardoned him, but gave him ecclesiastical preferment, finally making him Bishop of St. David's. Heylin attests the resentment this indiscreet indulgence roused in the Commons; but, unfortunately, as Manwaring was doubtless well aware, to have incurred the anger of Parliament was motive enough with Charles for the preferment of the offender, and the shortest road to it.

This is shown by the similar treatment accorded to the Rev. Richard Montagu, who had made himself conspicuous on the anti-Puritan side in the time of James. In defence of himself he had written his *Appello Cæsarem*, with James's leave and encouragement. It was a long book, refuting the charges made against him of

Popery and Arminianism, and full of bitter invectives against the Puritans. After the matter had been long under the consideration of Parliament, the House prayed Charles to punish Montagu, and to suppress and burn his books ; and this Charles did in a remarkable proclamation (January 17th, 1628), wherein the *Appello Casarem* is admitted to have been *the first cause of those disputes and differences that have since much troubled the quiet of the Church*, and is therefore called in, Charles adding, that if others write again on the subject, "we shall take such order with them and those books that they shall wish they had never thought upon these needless controversies." It appears, however, from Rushworth that, in spite of this, several answers were penned to Montagu, and that they were suppressed. And what, indeed, would life be but for its "needless controversies"?

Nothing could be more praiseworthy than Charles's attempt to put a stop to the idle disputations and bitter recriminations of the combatants on either side of religious controversy. Could he have succeeded he might have staved off the Civil War, which we might almost more fitly call a religious one. But in those days few men, unfortunately, had the cool



wisdom to remain as neutral between Arminian and Calvinist, Papist and Protestant, as between the rival Egyptian sects which, in Juvenal's time, fought for the worship of the ibis or the crocodile. Our comparatively greater safety in these days is due to the large increase of that neutral party, which was so sadly insignificant in the time of Charles. May that party therefore never become less, but constantly grow larger !

Montagu, at the time of the proclamation of his book, had been appointed Bishop of Chichester, having been raised to that see in spite or because of his quarrel with Parliament. He was consecrated by Laud in August of the same year, and Heylin admits that his promotion was more magnanimous than safe on the part of Charles, being clearly calculated to exasperate the House. Ten years later (1638) he was preferred to the see of Norwich. All his life he remained a prominent member of the Romanising party.

These books of Manwaring and Montagu are important as proving clearly two historical points, viz. :—(1) The early date at which the Court party alienated even the House of Lords. (2) The fact that the original exciting cause of all the subsequent

discord between Puritan and Prelatist came from a prominent member of the Laudian or Romanising faction.

The rising temper of the people, and its justification, is shown even in these literary disputes. But the popular temper was destined to be more seriously roused by those atrocious sentences against the authors of certain books which were passed within a few years by the Star Chamber and High Commission. The heavy fines and cruel mutilations imposed by these courts were not new in the reign of Charles, but they became far more frequent, and were directed less against wrong conduct than disagreeable opinions. They are intimately connected with the memory of Laud, first as Bishop of London, and then as Archbishop of Canterbury, whose letters show that the severities in question were to him and Strafford (to use Hallam's expression) "the feebleness of excessive lenity." To the last Charles was not despotic enough to please Laud, who complains petulantly in his Diary of a prince "who knew not how to be, or be made great."

As the first illustration of Laud's method for attaining this end must be mentioned the case of a book which enjoys the distinction of having brought its author to a

more severe punishment than any other book in the English language. Our literature has had many a martyr, but Alexander Leighton is the foremost of the rank.

He was a Scotch divine; nor can it be denied that his *Syon's Plea against the Prelacy* (1628) contained, indeed, some bitter things against the bishops; he said they were of no use in God's house, and called them caterpillars, moths, and cankerworms. But our ancestors habitually indulged in such expressions; and even Tyndale, the martyr, called church functionaries horse-leeches, maggots, and caterpillars in a kingdom. Such terms were among the traditional amenities of all controversy, but especially of religious controversy. But since the Martin-Marprelate Tracts or Latimer's sermons the strong anti-Episcopalian feeling of the country had never expressed itself so vigorously as in this "decade of grievances" against the hierarchy, presented to Parliament by a man who was too sensitive of "the ruin of religion and the sinking of the State."

The Star Chamber fined him £10,000, and then the High Commission Court deprived him of his ministry, and sentenced him to be whipped, to be pilloried, to lose his ears, to have his nose slit, to

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be branded on his cheeks with "S. S." (Sower of Sedition), and to be imprisoned for life ! Probably with all this, the burning of his book went without saying; though I have found no specific mention of its incurring that fate.

The sentence was executed in November 1630, in frost and snow, making its victim, as he says himself, "a theatre of misery to men and angels." It was all done in the name of law and order, like all the other great atrocities of history. After ten years' imprisonment Leighton was released by the Long Parliament, and a few years later he wrote an account of his sufferings, and a report of his trial in the Star Chamber. Therein we learn that Laud, the Bishop of London, was the moving spirit of the whole thing. At the end of his speech he apologised for his presence at the trial, admitting that by the Canon law no ecclesiastic might be present at a judicature where loss of life or limb was incurred, but contending that there was no such loss in ear-cutting, nose-slitting, branding, and whipping. Leighton, of course, may have been misinformed of what occurred at his trial (for he himself was not allowed to be present !); and so some doubt must also attach to the story that when the censure was delivered "the Prelate off

with his cap, and holding up his hands gave thanks to God who had given him the victory over his enemies."

Shortly after his release, Leighton was made keeper of Lambeth Palace, and then he died, "rather insane of mind for the hardships he had suffered"; but, such is the irony of fate, the man who had paid so heavily for his antipathy to bishops became himself the father of an archbishop!

By an unexplained law of our nature the very severity of punishment seems to invite men to incur it; and Leighton's fate, like most penal warnings, rather incited to its imitation than deterred from it. The next to feel the grip of the Star Chamber was the famous William Prynne, barrister of Lincoln's Inn, and one of the most erudite as well as most voluminous writers our country has ever produced.

He was only thirty-three when in 1633 he published his *Histriomastix; or, the Player's Scourge*. His labour had taken him seven years, nor was it the first work of his that had attracted the notice of authority. In a thousand closely printed pages, he argued, by an appeal to fifty-five councils, seventy-one fathers and Christian writers, one hundred and fifty Protestant and Catholic authors, and

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forty heathen philosophers into the bargain, that stage-plays, besides being sinful and heathenish, were "intolerable mischiefs to churches, to republics, to the manners, minds, and souls of men." Little as we think so now, this opinion, which was afterwards also Defoe's, was not without justification in those days. But Prynne's crusade did not stop at theatres; and Heylin's account reveals the feeling of contemporaries: "Neither the hospitality of the gentry in the time of Christmas, nor the music in cathedrals and the chapels royal, nor the pomps and gallantries of the Court, nor the Queen's harmless recreations, nor the King's solacing himself sometimes in masques and dances could escape the venom of his pen." "He seemed to breathe nothing but disgrace to the nation, infamy to the Church, reproaches to the Court, dishonour to the Queen." For his remarks against female actors were thought to be aimed at Henrietta Maria, though the pastoral in which she took part was posterior by six weeks to the publication of the book!<sup>1</sup> The four

<sup>1</sup> Whitelock's *Memorials of Charles I.*, 1822. Laud is represented as mainly instrumental in the conduct of the whole of this nefarious proceeding, especially in procuring the sentence in the Star Chamber.

legal societies "presented their Majesties with a pompous and magnificent masque, to let them see that Prynne's leaven had not soured them all, and that they were not poisoned with the same infection."<sup>1</sup>

This surely might have been enough ; but by the time the matter had come before the Star Chamber, Laud had succeeded Abbot (with whom Prynne was on friendly terms) as Archbishop of Canterbury (August 1633); and Laud was in favour of rigorous measures. So was Lord Dorset, and Lord Cottington, Chancellor of the Exchequer, whose judgment is of importance as showing that this was really the first occasion when the hangman's services were called in aid for the suppression of books :—

"I do in the first place begin censure with his book. I condemn it to be burnt in the most public manner that can be. The manner in other countries is (where such books are) to be burnt by the hangman, though not used in England (yet I wish it may, in respect of the strangeness and heinousness of the matter contained in it) to have a strange manner of burning; therefore I shall desire it may be so burnt by the hand of the hangman. If

<sup>1</sup> *Life of Laud*, 294.

it may agree with the Court, I do adjudge Mr. Prynne to be put from the Bar, and to be for ever incapable of his profession. I do adjudge him, my Lords, that the Society of Lincoln's Inn do put him out of the Society; and because he had his offspring from Oxford" (now with a low voice said the Archbishop of Canterbury, "I am sorry that ever Oxford bred such an evil member") "there to be degraded. And I do condemn Mr. Prynne to stand in the pillory in two places, in Westminster and Cheapside, and that he shall lose both his ears, one in each place; and with a paper on his head declaring how foul an offence it is, viz. that it is for an infamous libel against both their Majesties, State and Government. And lastly (nay, not lastly) I do condemn him in £5,000 fine to the King. And lastly, perpetual imprisonment."<sup>1</sup>

In this spirit the highest in the land understood justice in those golden monarchical days, little recking of the retribution that their cruelty was laying in store for them. A few years later history presents us with another graphic picture of the same sort, showing us the facetious as well as the ferocious aspect of the Star

<sup>1</sup> From the account in the *State Trials*, III. 576.



Chamber. Again Prynne stands before his judges, a full court (and theoretically the Star Chamber was co-extensive with the House of Lords), but this time in company with Bastwick, the physician, and Burton, the divine. Sir J. Finch, Chief Justice of the Common Pleas, says: "I had thought Mr. Prynne had had no ears, but methinks he hath ears." Thereupon many Lords look more closely at him, and the usher of the court is ordered to turn up his hair and show his ears. Their Lordships are displeased that no more had been cut off on the previous occasion, and "cast out some disgraceful words of him." To whom Prynne replies: "My Lords, there is never a one of your Honours but would be sorry to have your ears as mine are." The Lord-Keeper says: "In good truth he is somewhat saucy." "I hope," says Prynne, "your Honours will not be offended. I pray God give you ears to hear."

The whole of this interesting trial is best read in the fourth volume of the *Harleian Miscellany*. Prynne's main offence on this occasion was his *News from Ipswich*, written in prison, and his sentence was preceded by a speech from Laud, which the King made him afterwards publish, and which, after a denial

of the Puritan charge of making innovations in religion, ended with the words: "Because the business hath some reflection upon myself I shall forbear to censure them, and leave them to God's mercy and the King's justice." Yet Laud in the very previous sentence had thanked his colleagues for the "just and honourable censure" they had passed; and when he spoke in this Pharisaical way of God's mercy and the King's justice, he knew that the said justice had condemned Prynne to be fined another £5,000, to be deprived of the remainder of his ears in the pillory, to be branded on both cheeks with "S. L." (Schismatical Libeller), and to be imprisoned for life in Carnarvon Castle.<sup>1</sup> Apart from that, Laud's defence seems conclusive on many of the points brought against him.

Bastwick and Burton werè at the same time, for their books, condemned to a fine of £5,000 each, to be pilloried, to lose their ears, and to be imprisoned, one

<sup>1</sup> In his defence he says that he always voted last or last but one. In that case he must always have heard the sentence passed by those who spoke before him, and not dissented from it. His sole excuse is, that he was no worse than his colleagues; to which the answer is, he ought to have been better.

at Launceston Castle, in Cornwall, and the other in Lancaster Castle. It does not appear that the burning of their books was on this occasion included in the sentence; but as the order for seizing libellous books was sometimes a separate matter from the sentence itself (Laud's *Hist.*, 252), or could be ordered by the Archbishop alone, one may feel fairly sure that it followed.

The execution of this sentence (June 30th, 1637) marks a turning-point in our history. The people strewed the way from the prison to the pillory with sweet herbs. From the pillory the prisoners severally addressed the sympathetic crowd, Bastwick, for instance, saying, "Had I as much blood as would swell the Thames, I would shed it every drop in this cause." Prynne, returning to prison by boat, actually made two Latin verses on the letters branded on his cheeks, with a pun upon Laud's name. As probably no one ever made verses on such an occasion before or since, they are deserving of quotation:—

"Stigmata maxillis referens insignia Laudis,  
Exultans remeo, victima grata Deo."

Their journey to their several prisons was a triumphal procession all the way; the people, as Heylin reluctantly writes,

“either foolishly or factiously resorting to them as they passed, and seeming to bemoan their sufferings as unjustly rigorous. And such a haunt there was to the several castles to which they were condemned . . . that the State found it necessary to remove them further,” Prynne to Jersey, Burton to Guernsey, and Bastwick to Scilly. The alarm of the Government at the resentment they had aroused by their cruelties is as conspicuous as that resentment itself. No English Government has ever with impunity incurred the charge of cruelty ; nor is anything clearer than that as these atrocious sentences justified the coming Revolution, so they were among its most immediate causes.

The *Letany*, for which Bastwick was punished on this occasion, was not the first work of his that had brought him to trouble. His first work, the *Elenchus Papisticæ Religionis* (1627), against the Jesuits, was brought before the High Commission at the same time with his *Flagellum Pontificis* (1635), a work which, ostensibly directed against the Pope's temporal power, aimed, in Laud's eyes, at English Episcopacy and the Church of England. The sting occurs near the end, where the author contends that the essentials of a bishop, namely, his election

by his flock and the proper discharge of episcopal duties, are wanting in the bishops of his time. "Where is the ministering of doctrine and of the Word, and of the Sacraments? Where is the care of discipline and morals? Where is the consolation of the poor? where the rebuke of the wicked? Alas for the fall of Rome! Alas for the ruin of a flourishing Church! The bishops are neither chosen nor called; but by canvassing, and by money, and by wicked arts they are thrust upon their government." This was the beginning of trouble. The Court of High Commission condemned both his books to be burnt,<sup>1</sup> and their author to be fined £1,000, to be excommunicated, to be debarred from his profession, and to be imprisoned in the Gatehouse till he recanted; which, wrote Bastwick, would not be till Doomsday, in the afternoon.

In the Gatehouse Bastwick penned his *Apologeticus ad Præsules Anglicanos*, and his *Letany*, the books for which he suffered, as above described, at the hands of the Star Chamber. The first was an attack on the High Commission, the second on the bishops, the Real Presence, and the Church Prayer Book. The

<sup>1</sup> Prynne, *New Discovery*, 132.

language of the *Letany* is in many passages extremely coarse, and it is only possible to quote such milder expressions as since the time of Tyndale had been traditional in the Puritan party. "As many prelates in England, so many vipers in the bowels of Church and State." They were "the very polecats, stoats, weasels, and minivers in the warren of Church and State." They were "Anti-christ's little toes." To judge from these expressions merely one might be disposed to agree with Heylin, who says of the *Letany* that it was "so silly and contemptible that nothing but the sin and malice which appeared in every line of it could have possibly preserved it from being ridiculous." But the *Letany* is really a most important contribution to the history of the period. Nothing is more graphic than Bastwick's account of the almost regal reverence claimed for the Archbishop of Canterbury, the traffic of the streets interrupted when he issued from Lambeth, the overturning of the stalls; the author's description of the excessive power of the bishops, of the extortions of the ecclesiastical courts, is corroborated by abundant correlative testimony; and he appeals for the truth of his charges of immorality against the

clergy of that time to the actual cases that came before the High Commission.

Lord Clarendon speaks of Bastwick as "a half-witted, crack-brained fellow," unknown to either University or the College of Physicians; perhaps it was because he was unknown to either University that he acquired that splendid Latin style to which even Lord Clarendon does justice. The Latin preface to the second edition of the *Flagellum*, in which Bastwick returns thanks to the Long Parliament for his release from prison, is unsurpassed by the Latin writing of the best English scholars, and bespeaks anything but a half-witted brain. Cicero himself could hardly have done it better.

Burton's book, however, was considered worse than Prynne's or Bastwick's, for Heylin calls it "the great masterpiece of mischief." It consists of two sermons, republished with an appeal to the King, under the title of *For God and King*. Like Bastwick, he writes in the interest of the King against the encroachments of the bishops; and complains bitterly of the ecclesiastical innovations then in vogue. His accusation is no less forcible, though less well known, than Laud's Defence in his Star Chamber speech; and if he did call the bishops "limbs of the Beast,"

“ravening wolves,” and so forth, the language of Laud’s party against the Puritans was not one whit more refined. So convinced was Burton of the justice of his cause, that he declared that all the time he stood in the pillory he thought himself “in heaven, and in a state of glory and triumph if any such state can possibly be on earth.”

It is in connection with Bastwick’s *Letany* and Prynne’s *News from Ipswich* that Lilburne, of subsequent revolutionary fame, first appears on the stage of history, as responsible for their printing in Holland and dispersion in England. At all events he was punished for that offence, being whipped with great severity, by order of the Star Chamber, all the way from the Fleet Prison to Westminster, where he stood for some hours in the pillory. He was then only twenty. Laud had the second instalment of the books seized upon landing, and then burnt.

In this matter of book-burning the Archbishop seems at that time to have had sole authority, and doubtless many more books met with a fiery fate than are specifically mentioned. Laud himself refers in a letter to an order he issued for the seizure and public burning in Smithfield of as many copies as could be found of an English translation of



St. Francis de Sales' *Praxis Spiritualis*; or, *The Introduction to a Devout Life*, which, after having been licensed by his chaplain, had been tampered with, in the Roman Catholic interest, in its passage through the press. Of this curious book some twelve hundred copies were burnt, but a few hundred copies had been dispersed before the seizure.

The Archbishop's duties, as general superintendent of literature and the press, constituted, indeed, no sinecure. For ever since the year 1585, the Star Chamber regulations, passed at Archbishop Whitgift's instigation, had been in force; and, with unimportant exceptions, no book could be printed without being first seen, perused, and allowed by the Archbishop of Canterbury or Bishop of London. Rome herself had no more potent device for the maintenance of intellectual tyranny. The task of perusal was generally deputed to the Archbishop's chaplain, who, as in the case of Prynne's *Histriomastix*, ran the risk of a fine and the pillory if he suffered a book to be licensed without a careful study of its contents.

But the powers of the Archbishop over the press were not yet enough for Laud, and in July 1637 the Star Chamber

passed a decree, with a view to prevent English books from being printed abroad, that in addition to the compulsory licensing of all English books by the Archbishop of Canterbury, Bishop of London, or the University Chancellors, no books should be imported from abroad for sale without a catalogue of them being first sent to the Archbishop of Canterbury or Bishop of London, who, by their chaplains or others, were to superintend the unloading of such packages of books. The only merit of this decree is that it led Milton to write his *Areopagitica*. The Puritan belief that Laud aimed at the restoration of Popery has long since been proved erroneous. One of his bad dreams recorded in his Diary is that of his reconciliation with the Church of Rome; but there is abundant proof that he and his faction aimed at a spiritual and intellectual tyranny which would in no wise have been preferable to that of Rome. And of all Laud's dreams, surely that of the Archbishop of Canterbury exercising a perpetual dictatorship over English literature is not the least absurd and grotesque. ;

Moreover, in August of this very same year Laud made another move in the direction of ecclesiastical tyranny. Bastwick and his party had contended, not

only that Episcopacy was not of Divine institution, or *jure divino* (as, indeed, Williams, Bishop of Lincoln, had argued before the King)<sup>1</sup>; but that the issuing of processes in the names and with the seals of the bishops in the ecclesiastical courts was a trespass on the Royal Prerogative. What happened proves that it was. The statute of Edward VI. (1 Ed. VI., c. 2) had enacted that all the proceedings of the ecclesiastical courts should "be made in the name and the style of the King," and that no other seal of jurisdiction should be used but with the Royal arms engraven, under penalty of imprisonment. Mary repealed this Act, nor did Elizabeth replace it. But a clause in a statute of James (1 Jac. I., c. 25) repealed the repealing Act of Mary, so that the Act of Edward came back into force; and Bastwick was perfectly right. The judges, nevertheless, in May 1637, decided that Mary's repeal Act was still in force; and Charles, at Laud's instigation, issued a proclamation, in August 1637, to the effect that the proceedings of the High Commission and other ecclesiastical courts were agreeable to the laws and statutes of the realm.<sup>2</sup> In this manner did the

<sup>1</sup> Laud's *Diary* (Newman's edition), 87.

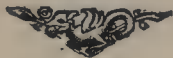
<sup>2</sup> Heylin's *Laud*, 321, 322.

judges, the bishops, and the King conspire to subject Englishmen to the tyranny of the Church!

The consequences belong to general history. Never was scheme of ecclesiastical ambition more completely shattered than Laud's; never was historical retribution more condign. Among the first acts of the Long Parliament (November 1640) was the release of Prynne and Bastwick and Burton; who were brought into the City, says Clarendon, by a crowd of some ten thousand persons, with boughs and flowers in their hands. Compensation was subsequently voted to them for the iniquitous fines imposed on them by the Star Chamber, and Prynne before long was one of the chief instruments in bringing Laud to trial and the block. But this was not before that ambitious prelate had seen the bishops deprived of their seats in the House of Lords, and the Root and Branch Bill for their abolition introduced, as well as the Star Chamber and High Commission Courts abolished. This should have been enough; and it is to be regretted that his punishment went beyond this total failure of the schemes of his life.

Of the heroes of the books whose condemnation contributed so much to bring about the Revolution, only Prynne con-

tinued to figure as an object of interest in the subsequent stormy times. As a member of Parliament his political activity was only exceeded by his extraordinary literary productiveness ; his legacy to the Library of Lincoln's Inn of his forty volumes of various works is probably the largest monument of literary labour ever produced by one man. His spirit of independence caused him to be constant to no political party, and after taking part against Cromwell he was made by the Government of the Restoration Keeper of the Records in the Tower, in which congenial post he finished his eventful career.





## CHAPTER IV.

### BOOK-FIRES OF THE REBELLION.



WITH the beneficent Revolution that practically began with the Long Parliament in November 1640, and put an end to the Star Chamber and High Commission, it might have been hoped that a better time was about to dawn for books. But the control of thought really only passed from the Monarchical to the Presbyterian party; and if authors no longer incurred the atrocious cruelties of the Star Chamber, their works were more freely burnt at the order of Parliament than they appear to have been when the sentence to such a fate rested with the King or the Archbishop of Canterbury.

Parliament, in fact, assumed the dictatorship of literature, and exercised supreme jurisdiction over author, printer, publisher, and licenser. Either House separately, or both concurrently, assumed the exercise of this power; and, if a book were sentenced to be burnt, the hangman seems always

to have been called in aid. In an age which was pre-eminently the age of pamphlets, and torn in pieces by religious and political dissension, the number of pamphlets that were condemned to be burnt by the common hangman was naturally legion, though, of course, a still greater number escaped with some lesser form of censure. It is only with the former that I propose to deal, and only with such of them as seem of more than usual interest as illustrating the manners and thoughts of that turbulent time.

It is a significant fact that the first writer whose works incurred the wrath of Parliament was the Rev. John Pocklington, D.D., one of the foremost innovators in the Church in the days of Laud's prosperity. The House of Lords consigned two of his books to be burnt by the hangman, both in London and the two chief Universities (February 12th, 1641). These were his *Sunday no Sabbath*, and the *Altare Christianum*.

The first of these was originally a sermon, preached on August 17th, 1635, wherein the Puritan view of Sunday was vehemently assailed, and the Puritans themselves vigorously abused. "These Church Schismatics are the most gross, nay, the most transparent hypocrites and

the most void of conscience of all others. They will take the benefit of the Church, but abjure the doctrine and discipline of the Church." How often has not this argument done duty since against Pocklington's ecclesiastical descendants! But it is to be historically regretted that Pocklington's views of Sunday, the same of course as those of James the First's famous book, or Declaration of Sports, were not destined to prevail, and seem still as far as ever from attainment.

The *Altare Christianum* had been published in 1637, in answer to certain books by Burton and Prynne, its object being to prove that altars and churches had existed before the Christian Church was 200 years old. But had these churches any more substantial existence than that one built, as he says, by Joseph of Arimathea, at Glastonbury, in the year 55 A.D.? Did the Arimathean really visit Glastonbury? Anyhow, the book is full of learning and instruction, and, indeed, both Pocklington's books have an interest of their own, apart from their fate, which, of so many, is their sole recommendation.

The sentence against Pocklington was strongly vindictive. Both his practices and his doctrines were condemned. In his practice he was declared to have been



“very superstitious and full of idolatry,” and to have used many gestures and ceremonies “not established by the laws of this realm.” These were the sort of ceremonies that, without ever having been so established by law, our ritualists have practically established by custom; and the offence of the ritualist doctrine as held in those days, and as illustrated by Pocklington, lay in the following tenets ascribed to him: (1) that it was men’s duty to bow to altars as to the throne of the Great God; (2) that the Eucharist was the host and held corporeal presence therein; (3) that there was in the Church a distinction between holy places and a Holy of holies; (4) that the canons and constitutions of the Church were to be obeyed without examination.

For these offences of ritual and doctrine—offences to which, fortunately, we can afford to be more indifferent than our ancestors were, no reasonable man now thinking twice about them—Pocklington was deprived of all his livings and dignities and preferments, and incapacitated from holding any for the future, whilst his books were consigned to the hangman. It may seem to us a spiteful sentence; but it was after all a mild revenge, considering the atrocious sufferings of the

Puritan writers. It is worse to lose one's ears and one's liberty for life than even to be deprived of Church livings; and it is noticeable that bodily mutilations came to an end with the clipping of the talons of the Crown and the Church at the beginning of the Long Parliament.

Taking now in order the works of a political nature that were condemned by the House of Commons to be burnt by the hangman, we come first to the *Speeches of Sir Edward Dering*, member for Kent in the Long Parliament, and a greater antiquary than he ever was a politician. He it was who, on May 27th, 1641, moved the first reading of the Root and Branch Bill for the abolition of Episcopacy. "The pride, the avarice, the ambition, and oppression by our ruling clergy is epidemic," he said; thereby proving that such an opinion was not merely a Puritan prejudice. But Dering appears only really to have aimed at the abolition of Laud's archiepiscopacy, and to have wished to see some purer form of prelacy re-established in place of the old. Naturally his views gave offence, which he only increased by republishing his speeches on matters of religion, Parliament being so incensed that it burned his book, and

committed its author for a week to the Tower (February 2nd, 1642).

Dering's was the common fate of moderate men in stormy times, who, seeing good on each side, are ill thought of by both. Failing to be loyal to either, he was by both mistrusted. For not only did he ultimately vote on the side of the royalist episcopal party, but he actually fought on the King's side; then, being disgusted with the royalists for their leaning to Popery, he accepted the pardon offered for a compensation by Parliament in 1644, and died the same year, leaving posterity to regret that he was ever so ill-advised as to exchange antiquities for politics and party strife.

The famous speech of the statesman whom Charles, with his usual defiance of public opinion, soon afterwards raised to the peerage as Lord Digby (on the passing of the Bill of Attainder against Lord Strafford), was, after its publication by its author, condemned to be burnt at Westminster, Cheapside, and Smithfield (July 13th, 1642). Digby voted against putting Strafford to death, because he did not think it proved by the evidence that Strafford had advised Charles to employ the army in Ireland for the subjection of England. But he condemned his general

conduct as strongly as any man. He calls him "the great apostate to the Commonwealth, who must not expect to be pardoned it in this world till he be dispatched to the other." He refers very happily to his great abilities, "whereof God hath given him the use, but the devil the application." But does the critic's own memory stand much higher? Was he not the King's evil genius, who, together with the Queen, pushed him to that fatal step—the arrest of the five members?

How soon Parliament acquired the evil habit of dealing by fire and the hangman with uncongenial publications is proved by the fact that in one year alone the following five leaflets or pamphlets suffered in this way:—

1. *The Kentish Petition*, drawn up at the Maidstone Assizes by the gentry, ministry, and commonalty of Kent, praying for the preservation of episcopal government, and the settlement of religious differences by a synod of the clergy (April 17th, 1642). The petition was couched in very strong language; and Professor Gardiner is probably right in saying that it was the condemnation of this famous petition which rendered civil war inevitable.

2. *A True Relation of the Proceedings of*

*the Scots and English Forces in the North of Ireland.* This was thought to be dishonouring to the Scots, and was accordingly ordered to be burnt (June 8th, 1642).

3. *King James : his Judgment of a King and a Tyrant* (September 12th, 1642).

4. *A Speedy Post from Heaven to the King of England* (October 5th, 1642).

5. *Letter from Lord Falkland to the Earl of Cumberland*, concerning the action at Worcester (October 8th, 1642).

Thus did Parliament, and the House of Commons especially, improve upon the precedent first set by the Star Chamber ; and the practice must soon have somewhat lost its force by the very frequency of its repetition. David Buchanan's *Truth's Manifest*, containing an account of the conduct of the Scotch nation in the Civil War, was condemned to be burnt by the hangman (April 13th, 1646), but may still be read. *An Unhappy Game at Scotch and English*, pamphlets like the *Mercurius Elenchicus* and *Mercurius Pragmaticus*, the *Justiciarius Justificatus*, by George Wither, perished about the same time in the same way ; and in 1648 such profane Royalist political squibs as *The Parliament's Ten Commandments*; *The Parliament's Pater Noster*, and *Articles of the Faith*; and *Ecce the New Testament*

of our Lords and Saviours, the House of Commons at Westminster, or the Supreme Council at Windsor, were, for special indignity, condemned to be burnt in the three most public places of London.

The observance of Sunday has always been a fruitful source of contention, and in 1649 the chief magistrates in England and Wales were ordered by the House of Commons to cause to be burnt all copies of James Okeford's *Doctrine of the Fourth Commandment, deformed by Popery, reformed and restored to its primitive purity* (March 18th, 1650). They did their duty so well that not a copy appears to survive, even in the British Museum. The author, moreover, was sentenced to be taken and imprisoned; so thoroughly did the spirit of persecution take possession of a Parliamentary majority when the power of it fell into their hands.

This was also shown in other matters. For instance, not only were *Joseph Primatt's Petition* to Parliament, with reference to his claims to certain coal mines, and Lilburne's *Just Reproof to Haberdasher's Hall* on Primatt's behalf, condemned to be burnt by the hangman (January 15th, July 30th, 1652), but both authors were sentenced, one to fines amounting to £5,000, the other to fines amounting to

£7,000, which, though falling far short of the Star Chamber fines, were very considerable sums in those days. Lilburne, on this occasion, was also sentenced to be banished, and to be deemed guilty of felony if he returned; but this part of the sentence was never enforced, for Lilburne remained, to continue to the very end, by speech and writing, that perpetual warfare with the party in power which constituted his political life.

John Fry, M.P., who sat in the High Court of Justice for the trial of Charles I., wrote in 1648 his *Accuser Shamed* against Colonel Downes, a fellow-member, who had most unfairly charged him before the House with blasphemy for certain expressions used in private conversation, and thereby caused his temporary suspension. Dr. Cheynel, President of St. John's at Oxford, printed an answer to this, and Fry rejoined in his *Clergy in their True Colours* (1650), a pamphlet singularly expressive of the general dislike at that time entertained for the English clergy. He complains of the strange postures assumed by the clergy in their prayers before the sermon, and says: "Whether the fools and knaves in stage plays took their pattern from these men, or these from them, I cannot determine; but sure one is the

brat of the other, they are so well alike." He confesses himself "of the opinion of most, that the clergy are the great incendiaries." In the matter of Psalm-singing he finds "few men under heaven more irrational in their religious exercises than our clergy." As to their common evasion of difficulties by the plea that it is above reason, he fairly observes: "If a man will consent to give up his reason, I would as soon converse with a beast as with that man." Nevertheless, how many do so still!

Fry wrote as a rational churchman, not as an anti-Christian, "from a hearty desire for their (the clergy's) reformation, and a great zeal to my countrymen that they may no longer be deceived by such as call themselves the ministers of the Gospel, but are not." This appears on the title-page; but a good motive has seldom yet saved a man or a book, and the House, having debated about both tracts from morning till night, not only voted them highly scandalous and profane, but consigned them to the hangman to burn, and expelled Fry from his seat in Parliament (February 21st, 1651).

So far of the political utterances that for the offence they gave were condemned to the flames; but these only represent



one side of the activity of the legislature of that time. (Nothing, indeed, better illustrates the mind of the seventeenth century than the several instances in which Parliament, in the exercise of its assumed power over literature generally, interfered with works of a theological nature, nor does anything more clearly or curiously reveal the mental turmoil of that period than does the perusal of some of the works that then met with Parliamentary censure or condemnation. In undertaking this interference it is possible that Parliament exceeded its province, and one is glad that it has long since ceased to claim the keepership of the People's Conscience. But in those days ideas of toleration were in their infancy; the right of free thought, or of its expression, had not been established; and the maintenance of orthodoxy was deemed as much the duty of Parliament as the maintenance of the rights of the people. So a Parliamentary majority soon came to exercise as much tyranny over thought as ever had been exercised by king or bishop; and, in fact, the theological writer ran even greater personal risks from the indignation of Parliament than he would have run in the period preceding 1640, for he began to run in danger of his life.

The first theological work dealt with by Parliament appears to have been that curious posthumous work, entitled *Comfort for Believers about their Sinnes and Troubles*, which appeared in June 1645, by John Archer, Master of Arts, and preacher at All Hallows', Lombard Street. It had but a short life, for the very next month the Assembly of Divines, then sitting at Westminster, complained to Parliament of its contents, and Parliament condemned it to be publicly burnt in four places, the Assembly to draw up a formal detestation to be read at the burning. In this document it was admitted that the author had been "of good estimation for learning and piety"; but the author's logic was better than his theology, for he attributed all evil to the Cause of all things, and contended that for wise purposes God not only permitted sin, but had a hand in its essence, namely, "in the privity, and ataxy, the anomye, or irregularity of the act" (if that makes it any clearer). A single passage will convey the drift of the seventy-six pages devoted to this difficult problem:—

"Who hinted to God, or gave advice by counsel to Him, to let the creature sin? Did any necessity, arising upon the creature's being, enforce it that sin must

be? Could not God have hindered sin, if He would? Might He not have kept man from sinning, as He did some of the angels? Therefore, it was His device and plot before the creature was that there should be sin. . . . It is by sin that most of God's glory in the discovery of His attributes doth arise. . . . Therefore certainly it limits Him much to bring in sin by a contingent accident, merely from the creature, and to deny God a hand and will in its being and bringing forth."

The author thought these positions quite compatible with orthodoxy; not so, however, the Presbyterian divines, nor Parliament; and certainly Archer's questions were more easily and more swiftly answered by fire than in any other way. Had he lived, one wonders how the divines would have punished him. For the next two cases prove how dangerous it was becoming to be convicted or even suspected of heterodoxy. Parliament was beginning to understand its duty as Defender of the Faith as the Holy Inquisition has always understood it—namely, by the death of the luckless assailant.

Thus, on July 24th, 1647, the House of Commons condemned to be burnt in three different places, on three different days, Paul Best's pamphlet, of the follow-

ing curious title : *Mysteries Discovered, or a Mercurial Picture pointing out the way from Babylon to the Holy City, For the Good of all such as during that Night of General Error and Apostacy, II. Thess. ii. 3, Rev. iii. 10, have been so long misled with Rome's Hobgoblin, by me, Paul Best, prisoner in the Gatehouse, Westminster.* It concluded with a prayer for release from an imprisonment, which had then lasted more than three years, for certain theological opinions "committed to a minister (a supposed friend) for his judgment and advice only." This minister was the Rev. Roger Leys, who infamously betrayed the trust reposed in him, and made public the frankness of private conversation.

Best had been imprisoned in the Gatehouse for certain expressions he was supposed to have used about the Trinity ; and before he wrote this pamphlet the House of Commons had actually voted that he should be hanged. Justly, therefore, he wrote : " Unless the Lord put to His helping hand of the magistrate for the manacling of Satan in that persecuting power, there is little hope either of the liberty of the subject or the law of God amongst us." And if he was not orthodox, he was sensible, for he says : " I

cannot understand what detriment could redound either to Church or Commonwealth by toleration of religions."

His heresy consisted in thinking that pagan ideas had been imported into, and so had corrupted, the original monotheism of Christianity. "We may perceive how by iniquity of time the real truth of God hath been trodden under foot by a verbal kind of divinity, introduced by the semi-pagan Christianity of the third century in the Western Church." He certainly did not hold the doctrine of the Trinity in what was then deemed the orthodox way, but his precise belief is rather obscurely stated, and is a matter of indifference.

One is glad to learn that he escaped hanging after all, and was released about the end of 1647, probably at the instance of Cromwell. He then retired to the family seat in Yorkshire, where he combined farming with his favourite theological studies for the ten remaining years of his life. His career at Cambridge had been distinguished, as might also have been his career in the world but for that unfortunate bent for theology, and the use of his reason in its study, that has led so many worthy men to disgrace and destruction.

But, in spite of the Assembly of Divines,

the air was thick with theological speculation; and only a few weeks after the condemnation of Best's *Mysteries*, the House condemned to a similar fate Bidle's *Twelve Arguments drawn out of Scripture, wherein the Commonly Received Opinion touching the Deity of the Holy Spirit is Clearly and Fully Refuted*.

Bidle, a tailor's son, must take high rank among the martyrs of learning. After a brilliant school career at Gloucester, he went to Magdalen College, Oxford, where, says his biographer, "he did so philosophise, as it might be observed, he was determined more by Reason than Authority"; and this dangerous beginning he shortly followed up, when master of the Free School at Gloucester, by the still more dangerous conclusion that the common doctrine of the Trinity "was not well grounded in Revelation, much less in Reason." For this he was brought before the magistrates at Gloucester on the charge of heresy (1644); and from that time till his death from gaol-fever in 1662, at the age of forty-two, Bidle seldom knew what liberty was. It was soon after his first imprisonment that he published his *Twelve Arguments*. Though the House had this burnt by the hangman, it was so popular that it was

reprinted the same year. The year following (1648) the House passed an ordinance making a denial of the Trinity a capital offence; in spite of which Bidle published his *Confession of Faith touching the Holy Trinity, according to Scripture*, and his *Testimonies of Different Fathers* regarding the same, the last of which manifests considerable learning. The Assembly of Divines then appealed to Parliament to put him to death; yet, strange to say, Parliament did not do so, but soon after released their prisoner. In 1654 he published his *Twofold Catechism*, for which he was again committed to the Gatehouse, and debarred from the use of pens, ink, and paper; and all his books were sentenced to be burnt (December 13th, 1654). After a time, his fate being still uncertain, Cromwell procured his release, or rather sent him off to the Scilly Isles. But his enemies got him into prison again at last, and there a blameless and pious life fell a victim to the power of bigotry. One may regret a life thus spent and sacrificed; but only so has the cause of free thought been gradually won.

Bidle has also been thought to have been the translator of the famous *Racovian Catechism*, first published in Polish

at Racow in 1605, and in Latin in 1609. In it two anti-Trinitarian divines reduced to a systematic form the whole of the Socinian doctrine. A special interest attaches to it from the fact that Milton, then nearly blind, was called before the House in connection with the Catechism, as though he had had a share in its translation or publication. It was condemned to be burnt as blasphemous (April 1st, 1652). In the Journals of the House copious extracts are given from the work, from which the following may serve to indicate what chiefly gave offence:—

“What do you conceive exceedingly profitable to be known of the Essence of God?

“It is to know that in the Essence of God there is only one person . . . and that by no means can there be more persons in that Essence, and that many persons in one essence is a pernicious opinion, which doth easily pluck up and destroy the belief of one God. . . .

“But the Christians do commonly affirm the Son and Spirit to be also persons in the unity of the same Godhead.

“I know they do, but it is a very great error; and the arguments brought for it are taken from Scriptures misunderstood.

“But seeing the Son is called God in



the Scriptures, how can that be answered?

“The word God in Scripture is chiefly used two ways: first, as it signifies Him that rules in heaven and earth . . . ; secondly, as it signifies one who hath received some high power or authority from that one God, or is some way made partaker of the Deity of that one God. It is in this latter sense that the Son in certain places in Scripture is called God. And the Son is upon no higher account called God than that He is sanctified by the Father and sent into the world.

“But hath not the Lord Jesus Christ besides His human a Divine nature also?

“No, by no means, for that is not only repugnant to sound reason, but to the Holy Scripture also.”

This is doubtless enough to convey an idea of the Catechism, which was again translated in 1818 by T. Rees. Whether Bidle was the translator or not, he must have been actuated by good intentions in what he wrote; for he says of the *Two-fold Catechism*, that it “was composed for their sakes that would fain be mere Christians, and not of this or that sect, inasmuch as all the sects of Christians, by what names soever distinguished, have

either more or less departed from the simplicity and truth of the Scripture." But these Christians, who preferred their religion to their sect, Bidle should have known were too few to count.

Far inferior writers to Bidle were Ebiezer Coppe and Laurence Clarkson; nor, if religious madness could be so stamped out, can we complain of the House of Commons for condemning their works to the flames. The strongest possible condemnation was passed for its "horrid blasphemies" on Coppe's *Fiery Flying Roll; or, Word from the Lord to all the Great Ones of the Earth whom this may concern, being the Last Warning Peace at the Dreadful Day of Judgment*. All discoverable copies of this book were to be burnt by the hangman at three different places (February 1st, 1650); and Coppe was imprisoned, but was released on his recantation of his opinions. His book was the cause of that curious ordinance of August 9th, 1650, for the "punishment of atheistical, blasphemous, and execrable opinions," which is the best summary and proof of the intense religious fanaticism then prevalent, and so curiously similar in all its details to that of the primitive Christian Church. At both periods the distinctive features were the claim to

actual divinity, and to superiority to all moral laws.

On September 27th, 1650, Clarkson's *Single Eye: all Light, no Darkness*, was condemned to be burnt by the hangman; and Clarkson himself not only sent to the House of Correction for a month, but sentenced to be banished after that for life under a penalty of death if he returned.

These books have their value for students of human nature, and so have the next I refer to, the works of Ludovic Muggleton, most of which were written during this period, though not condemned to be burnt till the year 1676, and which in other respects seem to touch the lowest attainable depth of religious demoralisation. The extraordinary thing is that Muggleton actually founded a sort of religion of his own; at all events, he gave life and title to a sect, which counts votaries to this day. Only so recently as 1846 a list of the works of Muggleton and his colleague Reeve was published, and the books advertised for sale. These two men claimed to be the two last witnesses or prophets, with power to sentence men to eternal damnation or blessedness. Muggleton had a decided preference for exercising the former power, especially in

regard to the Quakers, one of his books being called *A Looking Glass for George Fox, the Quaker, and other Quakers, wherein they may See Themselves to be Right Devils*. There is no reason to believe Muggleton to have been a conscious impostor; only in an age vexed to madness by religious controversy, religious madness carried him further than others. An asylum would have met his case better than the sentence of the Old Bailey, which condemned him to stand for three days in the pillory at the three most eminent places in the City, his books to be there in three lots burnt over his head, and himself then to be imprisoned till he had paid a sum of £500 (1676). But this did not finish the man, for in 1681 he wrote his *Letter to Colonel Phaire*, the language of which is perhaps unsurpassed for repulsiveness in the whole range of religious literature. Muggleton's writings in short read as a kind of religious nightmare. In their case the fire was rather profaned by its fuel than the books honoured by the fire.





## CHAPTER V.

### BOOK-FIRES OF THE RESTORATION.

**W**ITH the Restoration, the burning of certain obnoxious books formed one of the first episodes of that Royalist war of revenge of which the most disgraceful expression was the exhumation and hanging at Tyburn of the bones of Cromwell and Ireton. And had Goodwin and Milton not absconded, it is probable that the revenge which had to content itself with their books would have extended to their persons.

John Goodwin, distinguished as a minister and a prolific writer on the people's side, had dedicated in 1649 to the House of Commons his *Obstructours of Justice*, in which he defended the execution of Charles I. He based his case, indeed, after the fashion of those days, too completely on Biblical texts to suit our modern taste; but his book is far from being the "very weak and inconclusive performance"

of which Neal speaks in his history of the Puritans. The sentiments follow exactly those of Rutherford's *Lex Rex*; as, for example, "The Crown is but the kingdom's or people's livery. . . . The king bears the relation of a political servant or vassal to that state, kingdom, or people over which he is set to govern." But the commonplaces of to-day were rank heresy in a chaplain to Cromwell.

There seems to be no evidence to support Bishop Burnet's assertion that Goodwin was the head of the Fifth-Monarchy fanatics; and his story is simply that of a fearless, sensible, and conscientious minister, who took a strong interest in the political drama of his time, and advocated liberty of conscience before even Milton or Locke. But his chief distinction is to have been marked out for revenge in company with Milton by the miserable Restoration Parliament.

Milton's *Eikonoklastes* and *Defensio Populi Anglicani* rank, of course, among the masterpieces of English prose, and ought to be read, where they never will be, in every Board and public school of England. In the first the picture of Charles I., as painted in the *Eikon Basilike*, was unmercifully torn to pieces. Charles's

religion, Milton declares, had been all hypocrisy. He had resorted to "ignoble shifts to seem holy, and to get a saintship among the ignorant and wretched people." The prayer he had given as a relic to the bishop at his execution had been stolen from Sidney's *Arcadia*. In outward devotion he had not at all exceeded some of the worst kings in history. But in spite of Milton, the *Eikon Basilike* sold rapidly, and contributed greatly to the reaction; and the Secretary of the Council of State had just reason to complain of the perverseness of his generation, "who, having first cried to God to be delivered from their king, now murmur against God for having heard their prayer, and cry as loud for their king against those that delivered them."

The next year (1650) Milton had to take up his pen again in the same cause against the *Defence of Charles I. to Charles II.* by the learned Salmasius. Milton was not sparing in terms of abuse. He calls Salmasius "a rogue," "a foreign insignificant professor," "a slug," "a silly loggerhead," "a superlative fool." Even a *Times* leader of to-day would fall short of Milton in vituperative terms. It is not for this we still reverence the *Defensio*: but for its political force, and its occa-

sional splendid passages. Two samples must suffice :—

“ Be this right of kings whatever it will, the right of the people is as much from God as it. And whenever any people, without some visible designation from God Himself, appoint a king over them, they have the same right to pull him down as they had to set him up at first. And certainly it is a more Godlike action to depose a tyrant than to set one up ; and there appears much more of God in the people when they depose an unjust prince than in a king that oppresses an innocent people. . . . So that there is but little reason for that wicked and foolish opinion that kings, who commonly are the worst of men, should be so high in God’s account as that He should have put the world under them, to be at their beck and be governed according to their humour ; and that for their sakes alone He should have reduced all mankind, whom He made after His own image, into the same condition as brutes.”

The conclusion of Milton’s *Defensio* is not more remarkable for its eloquence than it is for its closing paragraph. Addressing his countrymen in an exhortation that reminds one of the speeches of Pericles to the Athenians, he proceeds :—



“God has graciously delivered you, the first of nations, from the two greatest miseries of this life, and most pernicious to virtue, tyranny, and superstition ; He has endued you with greatness of mind to be the first of mankind, who, after having conquered their own king, and having had him delivered into their hands, have not scrupled to condemn him judicially, and pursuant to that sentence of condemnation to put him to death. After the performing so glorious an action as this, you ought to do nothing that is mean and little, not so much as to think of, much less to do, anything but what is great and sublime.”

An exhortation to virtue founded on an act of regicide ! To such an issue had come the dispute concerning the Divine Right of kings ; and with such diversity of opinion do different men form their judgments concerning the leading events of their time !

The House of Commons, reverting for a time to the ancient procedure in these matters, petitioned the King on June 16th, 1660, to call in these books of Goodwin and Milton, and to order them to be burnt by the common hangman : and the King so far assented as to issue a proclamation ordering all persons in possession of such books to deliver them up to their county

sheriffs to be burnt by the hangman at the next assizes (August 13th, 1660).<sup>1</sup> In this way a good many were burnt; but, happily for the authors themselves, "they so fled or so obscured themselves" that all endeavours to apprehend their persons failed. Subsequently the benefits of the Act of Oblivion were conferred on Milton; but they were denied to Goodwin, who, having barely escaped sentence of death by Parliament, was incapacitated from ever holding any office again.

The *Lex Rex*, or the *Law and the Prince* (1644), by the Presbyterian divine Samuel Rutherford, was another book which incurred the vengeance of the Restoration, and for the same reasons as Goodwin's book or Milton's. It was burnt by the hangman at Edinburgh (October 16th, 1660), St. Andrews (October 23rd, 1660),<sup>2</sup> and London; its author was deprived of his offices both in the University and the Church, and was summoned on a charge of high treason before the Parliament of Edinburgh. His death in 1661 anticipated the probable legal sentence, and saved Rutherford from political martyrdom.

<sup>1</sup> In Kennet's *Register*, 189.

<sup>2</sup> Lamont's *Diary*, 159.

His book was an answer to the *Sacra Sancta Regum Majestas*, in which the Divine Right of kings, and the duty of passive obedience, had been strenuously upheld. Its appearance in 1644 created a great sensation, and threw into the shade Buchanan's *De Jure Regni apud Scotos*, which had hitherto held the field on the popular side. The purpose and style of the book may be gathered from the passage in the preface, wherein the writer gives, as his reason for writing, the opinion that arbitrary government had "over-swelled all banks of law, that it was now at the highest float . . . that the naked truth was, that prelates, a wild and pushing cattle to the lambs and flocks of Christ, had made a hideous noise; the wheels of their chariot did run an unequal pace with the bloodthirsty mind of the daughter of Babel." The contention was, that all regal power sprang from the suffrages of the people. "The king is subordinate to the Parliament, not co-ordinate, for the constituent is above the constituted." "What are kings but vassals to the State, who, if they turn tyrants, fall from their right?" For the rest, a book so crammed and stuffed with Biblical quotations as to be most unreadable. And indeed, of all the features of that miserable seventeenth

century, surely nothing is more extraordinary than this insatiate taste of men of all parties for Jewish precedents. Never was the enslavement of the human mind to authority carried to more absurd lengths with more lamentable results ; never was manifested a greater waste, or a greater wealth, of ability. For that reason, though Rutherford may claim a place on our shelves, he is little likely ever to be taken down from them. But may the principles he contended for remain as undisturbed as his repose !

The year following the burning of these books the House of Commons directed its vengeance against certain statutes passed by the Republican government. On May 17th, 1661, a large majority condemned the *Solemn League and Covenant* to be burnt by the hangman, the House of Lords concurring. All copies of it were also to be taken down from all churches and public places. Evelyn, seeing it burnt in several places in London on Monday 22nd, exclaims, "Oh ! prodigious change !" The Irish Parliament also condemned it to the flames, not only in Dublin, but in all the towns of Ireland.

A few days later, May 27th, the House of Commons, unanimously and with no

petition to the King, condemned to be burnt as "treasonable parchment writings":

1. "The Act for erecting a High Court of Justice for the trial of Charles I."

2. "The Act declaring and constituting the people of England a Commonwealth."

3. "The Act for subscribing the Engagement."

4. "The Act for renouncing and disannulling the title of Charles Stuart" (September 1656).

5. "The Act for the security of the Lord Protector's person and continuance of the Nation in peace and safety" (September 1656).

Three of these were burnt at Westminster and two at the Exchange. Pepys, beholding the latter sight from a balcony, was led to moralise on the mutability of human opinion. The strange thing is that, when these Acts were burnt, the Act for the abolition of the House of Lords (1649) appears to have escaped condemnation. For its intrinsic interest, I here insert the words of the old parchment:—

"The Commons of England assembled in Parliament, finding by too long experience that the House of Lords is useless and dangerous to the people of

England to be continued, hath thought fit to ordain and enact, and be it ordained and enacted by this present Parliament and by the authority of the same: That from henceforth the House of Lords in Parliament shall be and is hereby wholly abolished and taken away; and that the Lords shall not from henceforth meet and sit in the said house, called the Lords' House, or in any other house or place whatsoever as a House of Lords; nor shall sit, vote, advise, adjudge, or determine of any matter or thing whatsoever as a House of Lords in Parliament: Nevertheless, it is hereby declared, that neither such Lords as have demeaned themselves with honour, courage, and fidelity to the Commonwealth, nor their posterities (who shall continue so), shall be excluded from the public councils of the Nation, but shall be admitted thereunto and have their free vote in Parliament, if they shall be thereunto elected, as other persons of interest elected and qualified thereunto ought to have. And be it further ordained and enacted by the authority aforesaid, That no peer of this land (not being elected, qualified, and sitting as aforesaid) shall claim, have, or make use of any privilege of Parliament either in relation to his person, quality, or estate,

any law, usage, or custom to the contrary notwithstanding.”<sup>1</sup>

How true a presentiment our ancestors had of the incompatibility between an hereditary chamber and popular liberty is conspicuously shown by the next book we read of as burnt; and indeed there are few more instructive historical tracts than Locke's *Letter from a Person of Quality to his Friend in the Country*, which was ordered to be burnt by the Privy Council; and wherein he gave an account of the debates in the Lords on a Bill “to prevent the dangers which may arise from persons disaffected to the Government,” in April and May 1675. It was actually proposed by this Bill to make compulsory on all officers of Church or State, and on all members of both Houses, an oath, not only declaring it unlawful upon any pretence to take arms against the King, but swearing to endeavour at no time the alteration of the government in Church and State. To that logical position had the Royalist spirit come within fifteen years of the Restoration; Charles II., according to Burnet, being much set on this scheme, which, says Locke, was “first hatched (as almost all the mischiefs of the world have been)

<sup>1</sup> Scobell's *Collection of Acts*, II. 8.

amongst the great churchmen." The bishops and clergy, by their outcry, had caused Charles's Declaration of Indulgence (March 17th, 1671) to be cancelled, and the great seal broken off it ; they had "tricked away the rights and liberties of the people, in this and all other countries, wherever they had had opportunity . . . that priest and prince may, like Castor and Pollux, be worshipped together as divine, in the same temple, by us poor lay-subjects ; and that sense and reason, law, properties, rights, and liberties shall be understood as the oracles of those deities shall interpret."

There seems no doubt that the extinction of liberty was as vigorously aimed at as it was nearly achieved at the period Locke describes, under the administration of Lord Danby. But the Bill, though carried in the Lords, was strongly contested. Locke says that it occupied sixteen or seventeen whole days of debate, the House sitting often till 8 or 9 P.M., or even to midnight. His account of the speakers and their arguments is one of the most graphic pages of historical painting in our language ; but it is said to have been drawn up at the desire, and almost at the dictation, of Locke's friend, Lord Shaftesbury, who himself took a prominent part against the Bill. Fortunately,



it never got beyond the House of Lords, a dispute between the two Houses leading to a prorogation of Parliament and so to the salvation of liberty. But the whole episode impresses on the mind the force of the current then, as always, flowing in favour of arbitrary government throughout our history, as well as a sense of the very narrow margin by which liberty of any sort has escaped or been evolved, and, in general, of wonder that it should ever have survived at all the combinations of adverse circumstances against it.

It has been shown in the account of books burnt in the time of the Rebellion, how freely in the struggle between Orthodoxy and Free Thought—between the dogmas, that is, of the strongest sect and the speculations of individuals—fire was resorted to for the purpose of burning out unpopular opinions. These, indeed, were often of so fantastic a nature, that no fire was really needed to insure their extinction; whilst of others it may be said that, as their existence was originally independent of actual expression, so the punishment inflicted on their utterance could prove no barrier to their propagation.

But besides the war that was waged in the domain of theology proper, between opinions claiming to be sound and opinions

claiming to be true, a contest no less fierce centred for long round the very organisation of the Church; and between the Establishment and Dissent that hostile condition of thrust and parry, which has since become chronic, and is so detrimental to the cause professed by both alike, is no less visible in the field of literature than in that of our general history. Associated with the literary side of this great and bitter conflict—a side only too much ignored in the discreet popular histories of the English Church—are the names of Delaune, Defoe, Tindal, on the aggressive side, of Sacheverell and Drake on the defensive; each party, during the heat of battle, giving vent to sentiments so offensive to the other as to make it seem that fire alone could atone for the injury or remove the sting.

The first book to mention in connection with this struggle is Delaune's *Plea for the Nonconformists*; a book round which hangs a melancholy tale, and which is entitled to a niche in the library of Fame for other reasons than the mere fact of its having been burnt before the Royal Exchange in 1683. The story shows the sacerdotalism of the Church of England at its very worst, and helps to explain the evil heritage of hatred which, in the hearts

of the nonconforming sects, has since descended and still clings to her.

Dr. Calamy, one of the King's chaplains, had preached and printed a sermon called *Scrupulous Conscience*, challenging to, or advocating, the friendly discussion of points of difference between the Church and the Nonconformists. Delaune, who kept a grammar school, was weak enough to take him at his word, and so wrote his *Plea*, a book of wondrous learning, and to this day one of the best to read concerning the origin and growth of the various rites of the Church. Thereupon he was whisked off to herd with the commonest felons in Newgate, whence he wrote repeatedly to Dr. Calamy, to beg him, as the cause of his unjust arrest, to procure his release. Delaune disclaimed all malignity against the English Church, or any member of it, and, with grim humour, entreated to be convinced of his errors "by something more like divinity than Newgate." But the Church has not always dealt in more convincing divinity, and accordingly the cowardly ecclesiastic held his peace and left his victim to suffer.

It is difficult even now to tell the rest of Delaune's story with patience. He was indicted for intending to disturb the

peace of the kingdom, to bring the King into the greatest hatred and contempt, and for printing and publishing, by force of arms, a scandalous libel against the King and the Prayer-Book. Of course it was extravagantly absurd, but these indictments were the legal forms under which the luckless Dissenters experienced sufferings that were to them the sternest realities. Delaune was, in consequence, fined a sum he could not possibly pay; his books (for he also wrote *The Image of the Beast*, wherein he showed, in three parallel columns, the far greater resemblance of the Catholic rites to those of Pagan Rome than to those of the New Testament) were condemned to be burnt; and his judges, humane enough to let him off the pillory in consideration of his education, sent him back to Newgate notwithstanding it. There, in that noisome atmosphere and in that foul company, he was obliged to shelter his wife and two small children; and there, after fifteen months, he died, having first seen all he loved on earth pine and die before him. And he was only one of eight thousand other Protestant Dissenters who died in prison during the merry, miserable reign of Charles II. ! Of a truth, Dissent has something to forgive the Church; for

Delaune

persecution in Protestant England was very much the same as in Catholic France, with, if possible, less justification.

The main argument of Delaune's book was, that the Church of England agreed more in its rites and doctrines with the Church of Rome, and both Churches with Pagan or pre-Christian Rome, than either did with the primitive Church or the word of the Gospel—a thesis that has long since become generally accepted ; but his main offence consisted in saying that the Lord's Prayer ought in one sentence to have been translated precisely as it now has been in the Revised Version, and in contending that the frequent repetition of the prayer in church was contrary to the express command of Scripture. On these and other points Delaune's book was never answered—for the reason, I believe, that it never could be. After the Act of Toleration (1689) it was often reprinted ; the eighth and last time in 1706, when the High Church movement to persecute Dissent had assumed dangerous strength, with an excellent preface by Defoe, and concluding with the letters to Dr. Calamy, written by Delaune from Newgate. Defoe well points out that the great artifice of Delaune's time was to make the persecution of Dissent appear necessary, by repre-

senting it as dangerous to the State as well as the Church.

The mention of two other books seems to complete the list of burnt political literature down to the Revolution of 1688.

One is *Malice Defeated*, or a brief relation of the accusation and deliverance of Elizabeth Cellier. The authoress was implicated in the Dangerfield conspiracy, and, having been indicted for plotting to kill the King and to reintroduce Popery, was sentenced at the Old Bailey to be imprisoned till she had paid a fine of £1,000, to stand three times in the pillory, and to have her books burnt by the hangman. I do not suppose that, in her case, literature incurred any loss.

The other is the translation of Claude's *Plaintes des Protestants*, burnt at the Exchange on May 5th, 1686. After the Revocation of the Edict of Nantes, people like Sir Roger l'Estrange were well paid to write denials of any cruelties as connected with that measure in France; much as in our own day people wrote denials of the Turkish atrocities in Bulgaria. The famous Huguenot minister's book proved of course abundantly the falsity of this denial; but, as Evelyn says, so great a power in the English Court had then the French ambassador, "who was

doubtless in great indignation at the pious and truly generous charity of all the nation for the relief of those miserable sufferers who came over for shelter," that, in deference to his wishes, the Government of James II. condemned the truth to the flames. Nothing in that monarch's reign proves more conclusively the depth of degradation to which his foreign policy and that of his brother had caused his country to fall.





## CHAPTER VI.

### BOOK-FIRES OF THE REVOLUTION.

**T**HE period of the Revolution, by which I mean from the accession of William III. to the death of Queen Anne, was a time in which the conflict between Orthodoxy and Free Thought, and again between Church and Dissent, continued with an unabated ferocity, which is most clearly reflected in and illustrated by the sensational history of its contemporary literature, especially during the reign of Queen Anne. I am not aware that any book was burnt by authority of the English Parliament during the reign of William, but to say this in the face of Molyneux's *Case for Ireland*, which has been so frequently by great authorities declared to have been so treated, compels me to allude to the history of that book, and to give the reasons for a contrary belief.

It is first stated in the preface to the edition of 1770 that William Molyneux



*Case for Ireland being bound by Acts of Parliament in England*, first published in 1698, was burnt by the hangman at the order of Parliament; and the statement has been often repeated by later writers, as by Mr. Lecky, Dr. Ball, and others. Why then is there no mention of such a sentence in the Journals of the Commons, where a full account is given of the proceedings against the book; nor in Swift's *Drapier Letters*, where he refers to the fate of the *Case for Ireland*? This seems almost conclusive evidence on the negative side; but as the editor of 1770 may have had some lost authority for his remark, and not been merely mistaken, some account may be given of the book, as of one possibly, but not probably, condemned to the flames.<sup>1</sup>

Molyneux was distinguished for his scientific attainments, was a member of the Irish Parliament, first for Dublin City and then for the University, and was also a great friend of Locke the philosopher. The introduction in 1698 of the Bill, which was carried the same year by the English Parliament, forbidding the ex-

<sup>1</sup> In *Notes and Queries* for March 11th, 1854, Mr. James Graves, of Kilkenny, mentions as in his possession a copy of Molyneux, considerable portions of which had been consumed by fire.

portation of Irish woollen manufactures to England or elsewhere—one of the worst Acts of oppression of the many that England has perpetrated against Ireland—led Molyneux to write this book, in which he contends for the constitutional right of Ireland to absolute legislative independence. As the political relationship between the two countries—a relation now of pure force on one side, and of subjection on the other—is still a matter of contention, it will not be out of place to devote a few lines to a brief summary of his argument.

Before 1641 no law made in England was of force in Ireland without the consent of the latter, a large number of English Acts not being received in Ireland till they had been separately enacted there also. At the so-called conquest of Ireland by Henry II., the English laws settled by him were voluntarily accepted by the Irish clergy and nobility, and Ireland was allowed the freedom of holding parliaments as a separate and distinct kingdom from England. So it was that John was made King (or Dominus) of Ireland even in the lifetime of his father, Henry II., and remained so during the reign of his brother, Richard I. Ireland, therefore, could not be bound by England without

the consent of her own representatives ; and the happiness of having her representatives in the English Parliament could hardly be hoped for, since that experiment had been proved in Cromwell's time to be too troublesome and inconvenient.

Molyneux concluded his argument with a warning that subsequent history has amply justified—"Advancing the power of the Parliament of England by breaking the rights of another may in time have ill effects." So, indeed, it has ; but such warnings or prophecies seldom bring favour to their authors, and the English Parliament was moved to fury by Molyneux' arguments. Yet the latter, writing to Locke on the subject of his book, had said : "I think I have treated it with that caution and submission that it cannot justly give any offence ; insomuch that I scruple not to put my name to it ; and, by the advice of some good friends, have presumed to dedicate it to his Majesty. . . . But till I either see how the Parliament at Westminster is pleased to take it, or till I see them risen, I do not think it advisable for me to go on t'other side of the water. Though I am not apprehensive of any mischief from them, yet God only knows what resentments captious men

may take on such occasions." (April 19th, 1698.)

Molyneux, however, was soon to know this himself, for on May 21st his book was submitted to the examination of a committee; and on the committee's report (June 22nd) that it was "of dangerous consequence to the Crown and people of England, by denying the authority of the King and Parliament of England to bind the kingdom and people of Ireland," an address was presented to the King praying him to punish the author of such "bold and pernicious assertions," and to discourage all things that might lessen the dependence of Ireland upon England; to which William replied that he would take care that what they complained of should be prevented and redressed. Perhaps the dedication of the book to the King restrained the House from voting it to the flames; but, anyhow, there is not the least contemporary evidence of their doing so. Molyneux did not survive the year of the condemnation of his book; but, in spite of his fears, he spent five weeks with Locke at Oates in the autumn of the same year, his book surviving him, to attest his wonderful foresight as much as later events justified his spirited remonstrance.

There is, however, no doubt about the burning of a book for its theological sentiments at this time, though it was no Parliament but only an university which committed it to the fire. Oxford University has always tempered her love for learning with a dislike for inquiry, and set the cause of orthodoxy above the cause of truth. This phase of her character was never better illustrated than in the case of *The Naked Gospel*, by the Rev. Arthur Bury, Rector of Exeter College (1690).

A high value attaches to the first edition of this book, wherein the author essayed to show what the primitive Gospel really was, what alterations had been gradually made in it, and what advantages and disadvantages had therefrom ensued. Bury, many years before, in 1648, had known what it was to be led from his college by a file of musketeers, and forbidden to return to Oxford or his fellowship under pain of death, because he had the courage in those days to read the prayers of the Church. So he had some justification for ascribing his anonymous work to "a true son of the Church"; and his motive was the promotion of that charity and toleration which breathes in its every page. The King had summoned a Convocation, to make certain changes in the Litany, and,

if possible, to reconcile ecclesiastical differences; he even dreamt of uniting the Protestant Churches of England and of the Continent, and his Comprehension Bill, had it passed Parliament, might have made the English Church a really national Church; and it was from his sympathy with the broad ideas of the King that Bury wrote his pamphlet, intending not to publish it, but to present it to the members of Convocation severally. Unfortunately he showed or presented a few copies to a few friends, with the natural result that the work became known, the author admonished for heresy and driven from his rectorship, and the book publicly burnt, by a vote of the university, in the area of the schools (August 19th, 1690). He should have reflected that it is as little the part of a discreet man to try to reconcile religious factions as to seek to separate fighting tigers.

The unexpected commotion roused by his book led the author to republish it with great modifications and omissions; a fact which much diminishes the interest of the second edition of 1691. For instance, the preface to the second edition omits this passage of the first: "The Church of England, as it needs not, so it does not, forbid any of its sons the use of their own

eyes ; if it did, this alone would be sufficient reason not only to distrust but to condemn it." Nevertheless both editions alike contain many passages remarkable for their breadth of view no less than for their admirable expression. What, for instance, could be better than the passage wherein he speaks of the priests cramming the people with doctrines, "so many in numbers that an ordinary mind cannot retain them ; so perplexed in matter that the best understanding cannot comprehend them ; so impertinent to any good purpose that a good man need not regard them ; and so unmentioned in Scripture that none but the greatest subtlety can therein discover the least intimations of them" ? Or again : "No king is more independent in his own dominions from any foreign jurisdiction in matters civil, than every Christian is within his own mind in matters of faith" ? What Doctor of Divinity of these days would speak as courageously as this one did two hundred years ago ? So let any one be prepared to give a good price for a first edition copy of *The Naked Gospel*, and, when obtained, to study as well as honour it.

History is apt to repeat itself, and therefore it is of interest to note here

that about a century and a half later (~~March 1849~~) Exeter College was again stirred to the burning point, and that in connection with a book which, apart from its intrinsic interest, enjoys the distinction of having been actually the last to be burnt in England. In the *Morning Post* of March 9th, 1849, it is written: "We are informed that a work recently published by Mr. Froude, M.A., Fellow of Exeter College, entitled the *Nemesis of Faith*, was a few days since publicly burned by the authorities in the College Hall." The *Nemesis*, therefore, deserves a place in our libraries, and many will even prize it above its author's historical works, as the last example of the effort of the ecclesiastical spirit to crush the discussion of its dogmas. It is owing to this attempt that the *Nemesis* is now so well known as to render any reference to its contents superfluous.

We now pass to the reign of Queen Anne, when Toryism became the prevalent power in the country, and manifested its peculiar spirit by the increased persecution of literature.

Among strictly theological works one by John Asgill, barrister, claims a peculiar distinction, for it was burnt by order of two Parliaments, English and Irish, and



its author expelled from two Houses of Commons. This was the famous *Argument Proving that According to the Covenant of Eternal Life, revealed in the Scriptures, Man may be Translated from Hence into that Eternal Life without Passing Through Death, although the Human Nature of Christ Himself could not be thus Translated till He had Passed Through Death* (1700). In this book of 106 pages Asgill argued that death, which had come by Adam, had been removed by the death of Christ, and had lost its legal power. He claimed the right, and asserted his expectation, of actual translation; and so went by the nickname of "Translated Asgill." He tells how in writing it he felt two powers within him, one bidding him write, the other bobbing his elbow; but unfortunately the former prevailed, as it generally does. His printer told him that his men thought the author a little crazed, in which Asgill fancied the printer spoke one word for them and two for himself. Other people agreed with the printer, to Asgill's advantage, for, as he says, "Coming into court to see me as a monster, and hearing me talk like a man, I soon fell into my share of practice": which I mention as a hint for the briefless. This was in Ireland, where Asgill

was elected member for Enniscorthy, for which place however he only sat four days, being expelled for his pamphlet on October 10th, 1703. Shortly afterwards Asgill became member for Bramber, in Sussex, but this seat, too, he lost in 1707 for the same reason, the English House, like the Irish, though not by a unanimous vote, condemning his book to the flames. Asgill's debts caused him apparently to spend the rest of his days in the comparative peace of the Fleet prison.

Coleridge says there is no genuine Saxon English better than Asgill's, and that his irony is often finer than Swift's. At all events, his burnt work—the labour of seven years—is very dreary reading, relieved however by such occasional good sayings as “It is much easier to make a creed than to believe it after it is made,” or “Custom itself, without a reason for it, is an argument only for fools.” Asgill's defence before the House of Commons shows that a very strained interpretation was placed upon the passages that gave offence. Let it suffice to quote one: “Stare at me as long as you will, I am sure that neither my physiognomy, sins, nor misfortune can make me so unlikely to be translated as my Redeemer was to

be hanged." Asgill clearly wrote in all honesty and sincerity, though the contrary has been suggested ; and his defence was not without spirit or point : " Pray what is this blasphemous crime I here stand charged with ? A belief of what we all profess, or at least of what no one can deny. If the death of the body be included in the fall, why is not this life of the body included in the redemption ? And if I have a firmer belief in this than another, am I therefore a blasphemer ? " But the House thought that he was ; and to impugn the right of the majority to decide such a point would be to impugn a fundamental principle of the British Constitution. I therefore refrain from an opinion, and leave the matter to the reader's judgment.

Among the many books that have owed an increase of popularity, or any popularity at all, to the fire that burnt them, may be instanced the two works of Dr. Coward, which were burnt by order of the House of Commons in Palace Yard on March 18th, 1704. Dr. Coward had been a Fellow of Merton, and he wrote poetry as well as books of medicine, but in 1702 he ventured on metaphysical ground, and under the pseudonym of " Estibius Psy-chalethes " dedicated to the clergy his

*Second Thoughts concerning the Human Soul*, in which he contended that the notion of the soul as a separate immaterial substance was "a plain heathenist invention:" not exactly a position the clergy were likely to welcome, although the author repeatedly avowed his belief in an eternal future life. In 1704 the Doctor published his *Grand Essay: a Vindication of Reason and Religion against the Impostures of Philosophy*, in which he repeated his ideas about immaterial substances, and argued that matter and motion were the foundation of thought in man and brutes. The House of Commons called him to its bar, and burnt his books; a proceeding which conferred such additional popularity upon them that the Doctor was enabled the very same year to bring out a second edition of his *Second Thoughts*. Certainly no other treatment could have made the books popular. They are perfectly legitimate, but rather dry, metaphysical disquisitions; and Parliament might quite as fairly have burnt Locke's famous essay on the *Human Understanding*.

For Parliament thus to constitute itself Defender of the Faith was not merely to trespass on the office of the Crown, but to sin against the more sacred right of

common sense itself. We cannot be surprised, therefore, since the English Parliament sinned in this way (as it does to this day in a minor degree), that the Irish Parliament should have sinned equally, as it did about the same time, in the case of a book whose title far more suggested heresy than its contents substantiated it. I refer to Toland's *Christianity not Mysterious* (1696), which was burnt by the hangman before the Parliament House Gate at Dublin, and in the open street before the Town-House, by order of the Committee of Religion of the Irish House of Commons, one member even going so far as to advocate the burning of Toland himself. It is difficult now to understand the extreme excitement caused by Toland's book, seeing that it was evidently written in the interests of Christianity, and would now be read without emotion by the most orthodox. It was only the superstructure, not the foundation, that Toland attacked; his whole contention being that Christianity, rightly understood, contained nothing mysterious or inconsistent with reason, but that all ideas of this sort, and most of its rites, had been aftergrowths, borrowed from Paganism, in that compromise between the new and old religion which constituted the world's Christianisa-

tion.<sup>1</sup> Although this fact is now generally admitted, Toland puts the case so well that it is best to give his own words:—

“The Christians,” he says, “were careful to remove all obstacles lying in the way of the Gentiles. They thought the most effectual way of gaining them over to their side was by compounding the matter, which led them to unwarrantable compliances, till at length they likewise set up for mysteries. Yet not having the least precedent for any ceremonies from the Gospel, excepting Baptism and the Supper, they strangely disguised and transformed these by adding to them the pagan mystic rites. They administered them with the strictest secrecy; and to be inferior to their adversaries in no circumstance, they permitted none to assist at them but such as were antecedently prepared or initiated.”

The parallel Toland proceeds to draw is extremely instructive, and could only be improved on in our own day by tracing both Pagan and Christian rites to their antecedent origins in India. What

<sup>1</sup> In a letter in his *Vindicius Liberius* he says: “As for the Christian religion in general, that book is so far from calling it in question that it was purposely written for its service, to defend it against the imputations of contradiction and obscurity which are frequently objected by its opposers.”

he says also of the Fathers would be nowadays assented to by all who have ever had the curiosity to look into their writings; namely, "that they were as injudicious, violent, and factious as other men; that they were, for the greatest part, very credulous and superstitious in religion, as well as pitifully ignorant and superficial in the minutest punctilios of literature."

Toland was only twenty-six when he published his first book, but, to judge from the correspondence between Locke and Molyneux, he was vain and indiscreet. "He has raised against him," says the latter from Dublin (May 27th, 1697), "the clamours of all parties; and this not so much by his difference in opinion as by his unseasonable way of discoursing, propagating, and maintaining it." Again (September 11th, 1697): "Mr. T. is at last driven out of the kingdom; the poor gentleman, by his imprudent management, had raised such an universal outcry that it was even dangerous for a man to have been known once to converse with him. This made all men wary of reputation decline seeing him; insomuch that at last he wanted a meal's meat (as I am told), and none would admit him to their tables. The little stock of money which he

brought into the country being exhausted, he fell to borrowing from any one that would lend him half-a-crown, and ran in debt for his wigs, clothes, and lodging." Then when the Parliament ordered him to be taken into custody, and to be prosecuted, he very wisely fled the country, suffering only a temporary rebuff, and writing many other books, political and religious, none of which ever attained the distinction of his first.

Defoe But it was in the struggle between the Church and Dissent that the party-spirit of Queen Anne's reign chiefly manifested itself in the burning of books. No one fought for the cause of Dissent with greater energy or greater personal loss than the famous Defoe, the author of *Robinson Crusoe*. It brought him to ruin, and one of his books to the hangman.

It would seem that his *Shortest Way with the Dissenters* (1702), which ironically advocated their extermination, was in answer to a sermon preached at Oxford by Sacheverell in June of the same year, called *The Political Union*, wherein he alluded to a party against whom all friends of the Anglican Church "ought to hang out the bloody flag and banner of defiance." Defoe's pamphlet so exactly accorded with the sentiments of the



High Church party against the Dissenters that the extent of their applause at first was only equalled by that of their subsequent fury when the true author and his true object came to be known. Parliament ordered the work to be burnt by the hangman, and Defoe was soon afterwards sentenced to a ruinous fine and imprisonment, and to three days' punishment in the pillory. It was on this occasion that he wrote his famous *Hymn to the Pillory*, which he distributed among the spectators, and from which (as it is somewhat long) I quote a few of the more striking lines:—

“Hail, Hieroglyphick State machine,  
Contrived to punish fancy in ;  
Men that are men in thee can feel no pain,  
And all thy insignificants disdain.

Here by the errors of the town  
The fools look out and knaves look on.

Actions receive their tincture from the times,  
And, as they change, are virtues made or crimes.  
Thou art the State-trap of the Law,  
But neither can keep knaves nor honest men  
in awe.

Thou art no shame to Truth and Honesty,  
Nor is the character of such defaced by thee,  
Who suffer by oppression's injury.  
Shame, like the exhalations of the Sun,  
Falls back where first the motion was begun,

And they who for no crime shall on thy brows  
 appear,  
 Bear less reproach than they who placed them  
 there."

The State-trap of the Law, however, long survived Defoe's hymn to it, and was unworthily employed against many another great Englishman before its abolition. That event was delayed till the first year of Queen Victoria's reign; the House of Lords defending it, as it defended all other abuses of our old penal code, when the Commons in 1815 passed a Bill for its abolition.

About the same time, Parliament ordered to be burnt by the hangman a pamphlet against the Test, which one John Humphrey, an aged Nonconformist minister, had written and circulated among the members of Parliament.<sup>1</sup> There seems to be no record of the pamphlet's name; and I only guess it may be a work entitled, *A Draught for a National Church accommodation; whereby the subjects of North and South Britain, however different in their judgments concerning Episcopacy and Presbytery, may yet be united* (1709). For, to suggest union or compromise or reconciliation between parties is generally to court persecution from both.

<sup>1</sup> Wilson's *Defoe*, iii. 52.

A book that was very famous in its day, on the opposite side to Defoe, was Doctor Drake's *Memorial of the Church of England*, published anonymously in 1705. The Tory author was indignant that the House of Lords should have rejected the Bill against Occasional Conformity, which would have made it impossible for Dissenters to hold any office by conforming to the Test Act; he complained of the knavish pains of the Dissenters to divide Churchmen into High and Low; and he declared that the present prospect of the Church was "very melancholy," and that of the government "not much more comfortable." Long habit has rendered us callous to the melancholy state of the Church and the discomfort of governments; but in Queen Anne's time the croakers' favourite cry was a serious offence. The Queen's Speech, therefore, of October 27th, 1705, expressed strong resentment at this representation of the Church in danger; both Houses, by considerable majorities, voted the Church to be "in a most safe and flourishing condition"; and a royal proclamation censured both the book and its unknown author, a few months after it had been presented by the Grand Jury of the City, and publicly burnt by the hangman. It was

more rationally and effectually dealt with in Defoe's *High Church Legion, or the Memorial examined*; but one is sometimes tempted to wish that the cry of the Church in danger might be as summarily disposed of as it was in the reign of Queen Anne, when to vote its safety was deemed sufficient to insure it.

Drake's misfortunes as a writer were as conspicuous as his abilities. Two years before the Memorial was burnt, his *Historia Anglo-Scotica*, purporting to give an impartial history of the events that occurred between England and Scotland from William the Conqueror to Queen Elizabeth, was burnt at Edinburgh (June 30th, 1703). It was dedicated to Sir Edward Seymour, one of the Queen's Commissioners for the Union, and a High Churchman; and as it also expressed the hope that the Union would afford the Scotch "as ample a field to love and admire the generosity of the English as they had theretofore to dread their valour," it was clearly not calculated to please the Scotch. They accordingly burned it for its many reflections on the sovereignty and independence of their crown and nation. As the Memorial was also burnt at Dublin, Drake enjoys the distinction of having contributed a book to be burnt in

each of the three kingdoms. He would, perhaps, have done better to have stuck to medicine; and indeed the number of books written by doctors, which have brought their authors into trouble, is a remarkable fact in the history of literature.

Next to Drake's Memorial, and closely akin to it in argument, come the two famous sermons of Dr. Sacheverell, the friend of Addison; sermons which made a greater stir in the reign of Queen Anne than any sermons have ever since made, or seem ever likely to make again. They were preached in August and November 1709, the first at Derby, called the *Communication of Sin*, and the other at St. Paul's. The latter, *Perils among False Brethren*, is very vigorous, even to read, and it is easy to understand the commotion it caused. The False Brethren are the Dissenters and Republicans; Sacheverell is as indignant with those "upstart novelists" who presume "to evacuate the grand sanction of the Gospel, the eternity of hell torments," as with those false brethren who "will renounce their creed and read the Decalogue backward . . . fall down and worship the very Devil himself for the riches and honour of this world." In his advocacy of non-resistance he was thought to hit at the Glorious Revolution

itself. "The grand security of our government, and the very pillar upon which it stands, is founded upon the steady belief of the subject's obligation to an absolute and unconditional obedience to the supreme power in all things lawful, and the utter illegality of any resistance upon any pretence whatsoever."

Then came the great trial in the House of Lords, and Sacheverell's most able defence, often attributed to his friend Atterbury. This speech, which Boyer calls "studied, artful, and pathetic," deeply affected the fair sex, and even drew tears from some of the tender-hearted; but a certain lady to whom, before he preached the sermon, Sacheverell had explained the allusions in it to William III., the Ministry, and Lord Godolphin, was so astonished at the audacity of his public recantation that she suddenly cried out, "The greatest villain under the sun!" But for this little fact, one might think Sacheverell was unfairly treated. At the end of it all, however, he was only suspended from preaching for three years, and his sermons condemned to be burnt before the Royal Exchange in presence of the Lord Mayor and sheriffs; a sentence so much more lenient than at first seemed probable, that bonfires and illuminations in London and

Westminster attested the general delight. At the instance, too, of Sacheverell's friends, certain other books were burnt two days before his own, by order of the House of Commons: so that the High Church party had not altogether the worst of the battle. The books so burnt were the following:—1. *The Rights of the Christian Church asserted against the Romish and all other Priests.* By M. Tindal. 2. *A Defence of the Rights of the Christian Church.* 3. *A Letter from a Country Attorney to a Country Parson concerning the Rights of the Church.* 4. Le Clerc's extract and judgment of the same. 5. John Clendon's *Tractatus Philosophico-Theologicus de Persona*: a book that dealt with the subject of the Trinity.

Boyer gives a curious description of Sacheverell: "A man of large and strong make and good symmetry of parts; of a livid complexion and audacious look, without sprightliness; the result and indication of an envious, ill-natured, proud, sullen, and ambitious spirit"—clearly not the portrait of a friend. Lord Campbell thought the St. Paul sermon contemptible, and General Stanhope, in the debate, called it nonsensical and incoherent. It seems to me the very reverse, even if we abstract it from its stupendous effect. Sacheverell, no doubt,

was a more than usually narrow-minded priest ; but in judging of the preacher we must think also of the look and the voice and the gestures, and these probably fully made up, as they so often do, for anything false or illogical in the sermon itself.

At all events, Sacheverell won for himself a place in English history. That he should have brought the House of Lords into conflict with the Church, causing it to condemn to the flames, together with his own sermons, the famous Oxford decree of 1683, which asserted the most absolute claims of monarchy, condemned twenty-seven propositions as impious and seditious, and most of them as heretical and blasphemous, and condemned the works of nineteen writers to the flames, would alone entitle his name to remembrance.<sup>1</sup> So incensed indeed were the Commons, that they also condemned to be burnt the very *Collections of Passages referred to by Dr. Sacheverell in the Answer to the Articles of his Impeachment.*

<sup>1</sup> See Somers' *Tracts* (1748), VII., 223, and the *Entire Confutation of Mr. Hoadley's Book*, for the decree itself, and the authors condemned. After the Rye House Plot, which caused this decree, Oxford addressed Charles II. as "the breath of our nostrils, the anointed of the Lord"; Cambridge called him "the Darling of Heaven!" Could the servility of ultra-loyalty go further?



But Parliament was in a burning mood ; for Sacheverell's friends, wishing to justify his cry of the Church in danger, which he had ascribed to the heretical works lately printed, easily succeeded in procuring the burning of Tindal's and Clendon's books, before mentioned. Nor can any one who reads that immortal work, *The Rights of the Christian Church, asserted against the Romish and all other Priests who claim an independent power over it*, wonder at their so urging the House, however much he may wonder at their succeeding.

The first edition of *The Rights of the Christian Church* appeared in 1706, published anonymously, but written by the celebrated Matthew Tindal, than whom All Souls' College has never had a more distinguished Fellow, nor produced a more brilliant writer. In those days, when the question that most agitated men's minds was whether the English Church was of Divine Right, and so independent of the civil power, or whether it was the creature of, and therefore subject to, the law, no work more convincingly proved the latter than this work of Tindal ; a work which, even now, ought to be far more generally known than it is, no less for its great historical learning than for its scathing denunciations of priestcraft.

As the subordination of the Church to the State is now a principle of general acceptance, there is less need to give a summary of Tindal's arguments, than to quote some of the passages which led the writer to predict, when composing it, that he was writing a book that would drive the clergy mad. 'The promoting the independent power of the clergy has, he says, "done more mischief to human societies than all the gross superstitions of the heathen, who were nowhere ever so stupid as to entertain such a monstrous contradiction as two independent powers in the same society; and, consequently, their priests were not capable of doing so much mischief to the Commonwealth as some since have been." The fact, that in heathen times greater differences in religion never gave rise to such desolating feuds as had always rent Christendom, proves that "the best religion has had the misfortune to have the worst priests." "'Tis an amazing thing to consider that, though Christ and His Apostles inculcated nothing so much as universal charity, and enjoined their disciples to treat, not only one another, notwithstanding their differences, but even Jews and Gentiles, with all the kindness imaginable, yet that their pretended successors should make it their

business to teach such doctrines as destroy all love and friendship among people of different persuasions ; and that with so good success that never did mortals hate, abhor, and damn one another more heartily, or are readier to do one another more mischief, than the different sects of Christians." " If in the time of that wise heathen Ammianus Marcellinus, the Christians bore such hatred to one another that, as he complains, no beasts were such deadly enemies to men as the more savage Christians were generally to one another, what would he, if now alive, say of them ?" etc. " The custom of sacrificing men among the heathens was owing to their priests, especially the Druids. . . . And the sacrificing of Christians upon account of their religious tenets (for which millions have suffered) was introduced for no other reason than that the clergy, who took upon them to be the sole judges of religion, might, without control, impose what selfish doctrines they pleased." Of the High Church clergy he wittily observes : " Some say that their lives might serve for a very good rule, if men would act quite contrary to them ; for then there is no Christian virtue which they could fail of observing."

If Tindal wished to madden the clergy,

he certainly succeeded, for the pulpits raged and thundered against his book. But the only sermon to which he responded was Dr. Wotton's printed Visitation sermon preached before the Bishop of Lincoln; and his *Defence of the Rights of the Christian Church* (55 pages) was burnt in company with the larger work. It contained the "Letter from a Country Attorney to a Country Parson concerning the Rights of the Church," and the philosopher Le Clerc's appreciative reference to Tindal's work in his *Bibliothèque Choisie*.

Nevertheless, Queen Anne had given Tindal a present of £500 for his book, and told him that she believed he had banished Popery beyond a possibility of its return. Tindal himself, it should be said, had become a Roman Catholic under James II. and then a Protestant again, but whether before or after the abdication of James is not quite clear. He placed a high value on his own work, for when, in December 1707, the Grand Jury of Middlesex presented *The Rights* its author sagely reflected that such a proceeding would "occasion the reading of one of the best books that have been published in our age by many more people than otherwise would have read it." This probably was the case, with the result that it was burnt,

as aforesaid, by the hangman in 1710 by order of the House of Commons, at the instance of Sacheverell's friends, in the very same week that Sacheverell's sermons themselves were burnt! The House wished perhaps to show itself impartial. The victory, for the time at least, was with Sacheverell and the Church. The Whig ministry was overturned, and its Tory successor passed the Bill against Occasional Conformity, and the Schism Act; and, had the Queen's reign been prolonged, would probably have repealed the very meagre Toleration Act of 1689. Tindal, however, despite the Tory reaction, continued to write on the side of civil and religious liberty, keeping his best work for the last, published within three years of his death, when he was past seventy, namely, *Christianity as Old as the Creation; or, the Gospel a republication of the Religion of Nature* (1730). Strange to say, this work, criticised as it was, was neither presented nor burnt. I have no reason, therefore, to present it here, and indeed it is a book of which rather to read the whole than merely extracts.

About the same time that Sacheverell's sermons were the sensation of London, a sermon preached in Dublin on the Presbyterian side was attended there with the

same marks of distinction. In November 1711 Boyse's sermon on *The Office of a Scriptural Bishop* was burnt by the hangman, at the command of the Irish House of Lords. Unfortunately one cannot obtain this sermon without a great number of others, amongst which the author embedded it in a huge and repulsive folio comprising all his works. The sermon was first preached and printed in 1709, and reprinted the next year: it enters at length into the historical origin of Episcopacy in the early Church, the author alluding as follows to the Episcopacy aimed at by too many of his own contemporaries: "A grand and pompous sinecure, a domination over all the churches and ministers in a large district managed by others as his delegates, but requiring little labour of a man's own, and all this supported by large revenues and attended with considerable secular honours." Boyse could hardly say the same in these days, true, no doubt, as it was in his own. Still, that even an Irish House of Lords should have seen fit to burn his sermon makes one think that the political extinction of that body can have been no serious loss to the sum-total of the wisdom of the world.

The last writer to incur a vote of burning from the House of Commons in Queen

Anne's reign was William Fleetwood, Bishop of St. Asaph; and this for the preface to four sermons he had preached and published: (1) on the death of Queen Mary, 1694; (2) on the death of the Duke of Gloucester, 1700; (3) on the death of King William, 1701; (4) on the Queen's Accession, in 1702. It was voted to the public flames on June 10th, 1712, as "malicious and factious, highly reflecting upon the present administration of public affairs under Her Majesty, and tending to create discord and sedition among her subjects." The burning of the preface caused it to be the more read, and some 4,000 numbers of the *Spectator*, No. 384, carried it far and wide. Probably it was more read than the prelate's numerous tracts and sermons, such as his *Essay on Miracles*, or his *Vindication of the Thirteenth of Romans*.

The bishop belonged to the party that was dissatisfied with the terms of the Peace of Utrecht, then pending, and his preface was clearly written as a vehicle or vent for his political sentiments. The offensive passage ran as follows: "We were, as all the world imagined then, just entering on the ways that promised to lead to such a peace as would have answered all the prayers of our religious Queen . . . when

God, for our sins, permitted the spirit of discord to go forth, and by troubling sore the camp, the city, and the country (and oh! that it had altogether spared the places sacred to His worship!), to spoil for a time the beautiful and pleasing prospect, and give us, in its stead, I know not what—our enemies will tell the rest with pleasure.” Writing to Bishop Burnet, he expresses himself still more strongly: “I am afraid England has lost all her constraining power, and that France thinks she has us in her hands, and may use us as she pleases, which, I daresay, will be as scurvily as we deserve. What a change has two years made! Your lordship may now imagine you are growing young again; for we are fallen, methinks, into the very dregs of Charles the Second’s politics.” Assuredly Bishop Fleetwood had done better to reserve his political opinions for private circulation, instead of exposing them to the world under the guise and shelter of what purported to be a religious publication.

But he belonged to the age of the great political churchmen, when the Church played primarily the part of a great political institution, and her more ambitious members made the profession of religion subsidiary to the interests



of the political party they espoused. The type is gradually becoming extinct, and the time is long since past when the preface to a bishop's sermons, or even his sermons themselves, could convulse the State. One cannot, for instance, conceive the recurrence of such a commotion as was raised by Fleetwood or Sacheverell, possible as everything is in the zigzag course of history. Still less can one conceive a repetition of such persecution of Dissent as has been illustrated by the cases of Delaune and Defoe. For either the Church moderated her hostility to Dissent, or her power to exercise it lessened; no instance occurring after the reign of Queen Anne of any book being sentenced to the flames on the side either of Orthodoxy or Dissent.





## CHAPTER VII.

### OUR LAST BOOK-FIRES.

**T**HE eighteenth century, which saw the abolition, or the beginning of the abolition, of so many bad customs of the most respectable lineage and antiquity, saw also the hangman employed for the last time for the punishment of books. The custom of book-burning, never formally abolished, died out at last from a gradual decline of public belief in its efficacy; just as tortures died out, and judicial ordeals died out, and, as we may hope, even war will die out, before the silent, disintegrating forces of increasing intelligence. As our history goes on, one becomes more struck by the many books which escape burning than by the few which incur it. The tale of some of those which were publicly burnt during the eighteenth century has already been told; so that it only remains to bring together, under their various heads, the different literary productions

which complete the record of British works thus associated with the memory of the hangman.

After the beginning of the Long Parliament, the House of Commons constituted itself the chief book-burning authority; but the House of Lords also, of its own motion, occasionally ordered the burning of offensive literary productions. Thus, on March 29th, 1642, they sentenced John Bond, for forging a letter purporting to be addressed to Charles I. at York from the Queen in Holland, to stand in the pillory at Westminster Hall door and in Cheapside, with a paper on his head inscribed with "A contriver of false and scandalous libels," the said letter to be called in and burnt near him as he stood there.

On December 18th, 1667, they sentenced William Carr, for dispersing scandalous papers against Lord Gerrard, of Brandon, to a fine of £1000 to the King, and imprisonment in the Fleet, and ordered the said papers to be burnt.

On March 17th, 1697, a sentence of burning was voted by them against a libel called *Mr. Bertie's Case, with some Remarks on the Judgment Given Therein*.

Sometimes they thought in this way to safeguard not merely truth in general, or the honour of their House, but also the

interests of religion ; as when, on December 8th, 1693, they ordered to be burnt by the hangman the very next day a pamphlet that had been sent to several of them, entitled *A Brief but Clear Confutation of the Trinity*, a copy of which possibly still lies hid in some private libraries, but about which, not having seen it, I can offer no judgment. At that time Lords and Commons alike disquieted themselves much over religious heresy, for in 1698 the Commons petitioned William III. to suppress pernicious books and pamphlets directed against the Trinity and other articles of the Faith, and gave ready assent to a Bill from the Lords "for the more effectual suppressing of atheism, blasphemy, and profaneness." But it would seem that these efforts had but a qualified success, for on February 12th, 1720, the Lords condemned a work which, "in a daring, impious manner, ridiculed the doctrine of the Trinity and all revealed religion," and was called, *A Sober Reply to Mr. Higgs' Merry Arguments from the Light of Nature for the Tritheistic Doctrine of the Trinity; with a Postscript relating to the Rev. Dr. Waterland*. This work, which was the last to be burnt as an offence against religion, was the work of one Joseph Hall, who was a gentleman

and a serjeant-at-arms to the King, and in this way won his small title to fame.

By the beginning of the eighteenth century, the House of Lords had come to assume a more active jurisdiction over the Press. Thus in 1702, within a few days we find them severely censuring the notorious Dr. Drake's *History of the Last Parliament*, begun 1700; somebody's *Tom Double, returned out of the Country; or, The True Picture of a modern Whig*; Dr. Blinke's violent sermon, preached on January 30th, 1701, before the Lower House of Convocation; and a pamphlet, inviting over the Elector of Hanover. In the same month they condemned to be burnt by the hangman a book entitled, *Animadversions upon the two last 30th of January Sermons: one preached to the Honourable House of Commons, the other to the Lower House of Convocation. In a letter.* They resolved that it was "a malicious, villainous libel, containing very many reflections on King Charles I., of ever-blessed memory, and tending to the subversion of the Monarchy."

But the more general practice was for the House of Lords to seek the concurrence of the other House in the consignment of printed matter to the flames; a concurrence which in those days was of

far more easy attainment over book-burning or anything else than it is in our own time, or is ever likely to be in the future. It would also seem that during the eighteenth century it was generally the House of Lords that took the initiative in the time-honoured practice of condemning disagreeable opinions to the care of the hangman.

The unanimity alluded to between our two Houses was displayed in several instances. Thus on November 16th, 1722, the Commons agreed with the resolution of the Peers to have burnt at the Exchange the Declaration of the Pretender, beginning: "Declaration of James III., King of England, Scotland, and Ireland, to all his loving Subjects of the three Nations, and to all Foreign Princes and States, to serve as a Foundation for a Lasting Peace in Europe," and signed "James Rex." In this interesting document, George I. was invited to quietly deliver up his possession of the British throne in return for James's bestowal on him of the title of king in his native dominions, and the ultimate succession to the same title in England. The indignation of the Peers raised their effusive loyalty to fever point, and they promptly voted this singular document "a false,

insolent, and traitorous libel, the highest indignity to his most sacred Majesty King George, our lawful and undoubted sovereign, full of arrogance and presumption, in supposing the Pretender in a condition to offer terms to his Majesty; and injurious to the honour of the British nation, in imagining that a free, Protestant people, happy under the government of the best of princes, can be so infatuated as, without the utmost contempt and indignation, to hear of any terms from a Popish bigoted Pretender." But was it loyalty or sycophancy that could thus transmute even George I. into "the best of princes"?

A less serious cause of alarm to their loyalty occurred in 1750, when certain *Constitutional Queries* were "earnestly recommended to the serious consideration of every true Briton." This was directed against the Duke of Cumberland, of Culoden fame, who was in it compared to the crooked-backed Richard III.; and it was generally attributed to Lord Egmont, M.P., as spokesman of the opposition to the government of George II., then headed by the Prince of Wales, who died the year following. It caused a great sensation in both Houses, though several members in the Commons defended it.

Nevertheless, at a conference both Houses voted it "a false, malicious, scandalous, infamous, and seditious libel, containing the most false, audacious, and abominable calumnies and indignities against his Majesty, and the most presumptuous and wicked insinuations that our laws, liberties, and properties, and the excellent constitution of this kingdom, were in danger under his Majesty's legal, mild, and gracious government" . . . and that "in abhorrence and detestation of such abominable and seditious practices," it should be burnt in New Palace Yard by the hangman on January 25th. Even a reward of £1,000 failed to discover the author, printer, or publisher of this paper, the condemnation of which rather whets the curiosity than satisfies the reason. I would shrink from saying that a paper so widely disseminated no longer exists; but even if it does not, its non-existence affords no proof that in its time it lacked justification.

But what justification was there for George King, the bookseller, who a few years later did a very curious thing, actually forging and publishing a Royal speech—"His Majesty's most Gracious Speech to both Houses of Parliament on Thursday, December 2nd, 1756"? Surely never since the giants of old assaulted heaven, was



there such an invasion of sanctity, or so profane a scaling of the heights of intellect! What could the Lords do, being a patriotic body, but vote such an attempt, without even waiting for a conference with the Commons, "an audacious forgery and high contempt of his Majesty, his crown and dignity," and condemn the said forgery to be burnt on the 8th at Westminster, and three days later at the Exchange? How could they sentence King to less than six months of Newgate and a fine of £50, though, in their gentleness or fickleness, they ultimately released him from some of the former and all the latter penalty? Happy those who possess this political curiosity, and can compare it with the speech which the King really did make on the same day, and which, perhaps, did not show any marked superiority over the forged imitation.

The next book-fire to which history brings us is associated with one of the most important and singular episodes in the annals of the British Constitution. I allude to the famous *North Briton*, No. 45, for which, as constituting a seditious libel, Wilkes, then member for Aylesbury, was, in spite of his privilege as a member, seized and imprisoned in the Tower (1763). We know from the experiences

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of recent times how ready the House of Commons is to throw Parliamentary or popular privileges to the winds whenever they stand in the way of political resentment, and so it was in our fathers' times. For, in spite of a vigorous speech from Pitt against a surrender of privilege which placed Parliament entirely at the mercy of the Crown, the Commons voted, by 258 to 133, that such privilege afforded no protection against the publication of seditious libels. The House of Lords, of course, concurred, but not without a protest from the dissentient minority, headed by Lord Temple, which has the true ring of political wisdom ; and, like so many similar protests, is so instinct with zeal for public liberty as to atone in some measure for the fundamental injustice of the existence of an hereditary chamber. They held it "highly unbecoming the dignity, gravity, and wisdom of the House of Peers, as well as of their justice, thus judicially to explain away and diminish the privileges of their persons," etc.

A few days later (December 1st) a second conference between the two Houses condemned No. 45 to be burnt at the Royal Exchange by the common hangman. And so it was on the 3rd, but not without a riot, which conveys a

vivid picture of those "good old" or turbulent days; for the mob, encouraged by well-dressed people from the shops and balconies, who cried out, "Well done, boys! bravely done, boys!" set up such a hissing, that the sheriff's horses were frightened, and brave Alderman Hurley with difficulty reached the place where the paper was to be burnt. The mob seized what they could of the paper from the burning torch of the executioner, and finally thrashed the officials from the field. Practically, too, they had thrashed the custom out of existence, for there were very few such burnings afterwards.

Wilkes was then expelled from the House of Commons; and the same House, becoming suddenly as tender of its privileges as it had previously been indifferent to them, passed a resolution, to which the Attorney-General, Sir Fletcher Norton, was said to have declared that he would pay no more regard than "to the oaths of so many drunken porters in Covent Garden," to the effect that a general warrant for apprehending and seizing the authors, printers, and publishers of a seditious and treasonable libel was not warranted by law. Such was the vaunted wisdom of our ancestors, that, having first decided that there could

be no breach of privilege to protect a seditious libel, they then asserted the illegality of the very proceedings they had already justified ! Truly they are not altogether in the wrong who deem that the chief glory of our Constitution lies in its singular elasticity.

All the numbers of the *North Briton*, especially No. 45, have high interest as political and literary curiosities. Comparing even now the King's speech on April 19th, 1763, at the close of the Seven Years' War, with the passage in No. 45 which contained the sting of the whole, one feels that Walpole hardly exaggerated when he said that Wilkes had given "a flat lie to the King himself." Perhaps so ; but are royal speeches as a rule conspicuous for their truth ? The King had said : "My expectations have been fully answered by the happy effects which the several allies of my crown have derived from this salutary measure. The powers at war with my good brother the King of Prussia have been induced to agree to such terms of accommodation as that great prince has approved ; and the success which has attended my negotiation has necessarily and immediately diffused the blessings of peace through every part of Europe." Wilkes's comment was as

follows: "The infamous fallacy of this whole sentence is apparent to all mankind; for it is known that the King of Prussia did not barely approve, but absolutely dictated as conqueror, every article of the terms of peace. No advantage of any kind has accrued to that magnanimous prince from our negotiation; but he was basely deserted by the Scottish Prime Minister of England" (Lord Bute). And, after all, that truth was on the side of Wilkes rather than of the King is the verdict of history.

The House of Lords, soon after its unconstitutional attack upon popular liberties in the case of Wilkes, showed itself as suddenly enamoured of them a few months later, when Timothy Brecknock, a hack writer, published his *Droit le Roy*, or a *Digest of the Rights and Prerogatives of the Imperial Crown of Great Britain* (February 1764). Timothy, like Cowell in James I.'s time, favoured extreme monarchical pretensions, so much to the offence of the defenders of the people's rights, that they voted it "a false, malicious, and traitorous libel, inconsistent with the principles of the Revolution to which we owe the present happy establishment, and an audacious insult upon His Majesty, whose paternal care has been

so early and so effectually shown to the religion, laws, and liberties of his people; tending to subvert the fundamental laws and liberties of these kingdoms and to introduce an illegal and arbitrary power." The Commons concurred with the Lords in condemning a copy to the flames at Westminster Palace Yard and the Exchange on February 25th and 27th respectively; and the book is consequently so rare that for practical purposes it no longer exists. Sad to say, the Royalist author came to as bad an end as his book, for in his own person as well he came to require the attentions of the hangman for a murder he committed in Ireland.

The next work which the Lower House concurred with the Upper in consigning to the hangman was *The Present Crisis with regard to America Considered* (February 24th, 1775); but of this book the fate it met with seems now the only ascertainable fact about it. It appears to enjoy the real distinction of having been the last book condemned by Parliament in England to the flames; although that honour has sometimes been claimed for the *Commercial Restraints of Ireland*, by Provost Hely Hutchinson (1779); a claim which will remain to be considered after a brief survey of the works which in Scotland the

wisdom of Parliament saw fit to punish by fire.

The first order of this sort was dated November 16th, 1700, and sentenced to be burnt by the hangman at Mercat Cross His Majesty's *High Commission and Estates of Parliament*.

In the same way was treated *A Defence of the Scots abdicating Darien, including an Answer to the Defence of the Scots Settlement there, and A Vindication* of the same pamphlet, both by Walter Herries, who was ordered to be apprehended. More interesting to read would doubtless be a lampoon, said to reflect on everything sacred to Scotland, and burnt accordingly, which was called *Caledonia ; or, the Pedlar turned Merchant*.

Dr. James Drake, whose *Memorial of the Church of England* was burnt in England in 1705, published a work two years earlier which stirred the Scotch Parliament to the same fiery point of indignation. This was his already mentioned *Historia Anglo-Scotica : an impartial History of all that happened between the Kings and Kingdoms of England and Scotland from the beginning of the Reign of William the Conqueror to the Reign of Queen Elizabeth* (1703). This stout volume of 423 pages Drake printed without any date or name,

pretending that the manuscript had come to him in such a way that it was impossible to trace its authorship. He dedicated it to Sir Edward Seymour, one of Queen Anne's commissioners for the then meditated and unpopular union between the two kingdoms. It gave the gravest offence, and was burnt at the Mercat Cross on June 30th for containing "many reflections on the sovereignty and independence of this crown and nation." But, apart from the history that attaches to it, I doubt if any one could regard it with interest.

No less offence was given to Scotland by the English Whig writer William Attwood, whose *Superiority and Direct Dominion of the Imperial Crown of England over the Crown and Kingdom of Scotland, the true Foundation of a Compleat Union reasserted* (1704), was burnt as "scurrilous and full of falsehoods," whilst a liberal reward was voted to Hodges and Anderson, who by their pens had advocated the independence of the Scotch crown. Ten years later Attwood contributed another work to the flames, called *The Scotch Patriot Unmasked* (1715). Attwood was a barrister by profession, a controversialist in practice, writing against the theories of Filmer and the Tories. He had a great knowledge of old charters, and



wrote an able but inconclusive answer to Molyneux' *Case for Ireland*. He last appears as Chief Justice in New York, where he became involved in debt and died.

In 1706 two works were condemned to the Mercat Cross : (1) *An Account of the Burning of the Articles of Union at Dumfries* ; (2) *Queries to the Presbyterian Noblemen, Barons, Burgesses, Ministers, and Commissioners in Scotland who are for the Scheme of an Incorporating Union with England*.

Hutchinson's *Commercial Restraints of Ireland*, published in 1779, and reviewing the progress of English misgovernment, proved the correctness of Molyneux' prognostications nearly a century before. "Can the history of any fruitful country on the globe," he asked (and the question may be asked still), "enjoying peace for fourscore years, and not visited by plague or pestilence, produce so many recorded instances of the poverty and wretchedness and of the reiterated want and misery of the lower orders of the people? There is no such example in ancient or modern history."

That a book of such sentiments should have been burnt, as easier so to deal with than to answer, would accord well enough

with antecedent probability; but, inasmuch as there is no such record in the Commons' *Journals*, the probability must remain that Captain Valentine Blake, M.P. for Galway, who, in a letter to the *Times* of February 14th, 1846, appears to have been the first to assert the fact, erroneously identified the fate of Hutchinson's anonymous work with the then received version of the fate of the work of Molyneux. The rarity of the first edition of the *Commercial Restraints* may well enough accord with other methods of suppression than burning.

*The Present Crisis*, therefore, of 1775, must retain the distinction of having been the last book to be condemned to the public fire; and with it a practice which can appeal for its descent to classical Greece and Rome passed at last out of fashion and favour, without any actual legislative abolition. When, in 1795, the great stir was made by Reeve's *Thoughts on English Government*, Sheridan's proposal to have it burnt met with little approval, and it escaped with only a censure. Reeve, president of an association against Republicans and Levellers, like Cowell and Brecknock before him, gave offence by the extreme claims he made for the English monarch. The relation between

our two august chambers and the monarchy he compared to that between goodly branches and the tree itself: they were only branches, deriving their origin and nutriment from their common parent; but though they might be lopped off, the tree would remain a tree still. The Houses could give advice and consent, but the Government and its administration in all its parts rested wholly and solely with the King and his nominees. That a book of such sentiments should have escaped burning is doubtless partly due to the panic of Republicanism then raging in England; but it also shows the gradual growth of a sensible indifference to the power of the pen.

And when we think of the freedom, almost unchecked, of the literature of the century now closing, of the impunity with which speculation attacks the very roots of all our political and theological traditions, and compare this state of liberty with the servitude of literature in the three preceding centuries, when it rested with archbishop or Commons or Lords not only to commit writings to the flames but to inflict cruelties and indignities on the writers, we cannot but recognise how proportionate to the advance we have made in toleration have been the benefits we

have derived from it. Possibly this toleration arose from the gradual discovery that the practical consequences of writings seldom keep pace with the aim of the writer or the fears of authority ; that, for instance, neither is property endangered by literary demonstrations of its immorality, nor are churches emptied by criticism. At all events, taking the risk of consequences, we have entered on an era of almost complete literary impunity ; the bonfire is as extinct as the pillory ; the only fiery ordeal is that of criticism, and dread of the reviewer has taken the place of all fear of the hangman.

Whether the change is all gain, or the milder method more effectual than the old one, I would hesitate to affirm. He would be a bold man who would assert any lack of burnworthy books. The older custom had perhaps a certain picturesqueness which was lost with it. It was a bit of old English life, reaching far back into history—a custom that would have been not unworthy of the brush of Hogarth. For all that we cannot regret it. The practice became so common, and lent itself so readily to abuse by its indiscriminate application in the interests of religious bigotry or political partisanship, that the lesson of history is one of warning

against it. Such a practice is only defensible or impressive in proportion to the rarity of its use. Applied not oftener than once or twice in a generation, in the case of some work that flagrantly shocked or injured the national conscience, the book-fire might have retained, or might still recover, its place in the economy of well-organised States; and the stigma it failed of by reason of its frequency might still attach to it by reason of its rarity.

If, then, it were possible (as it surely would be) so to regulate and restrict its use that it should serve only as the last expression of the indignation of an offended community instead of the ready weapon of a party or a clique, one can conceive its revival being not without utility. To take an illustration. With the ordinary daily libels of the public press the community as such has no concern; there is no need to grudge them their traditional impunity. But supposing a newspaper, availing itself of an earlier reputation and a wide circulation, to publish as truths, highly damaging to individuals, what it knows or might know to be forgeries, the limit has clearly been overstepped of the bearable liberty of the press; the cause of the injured individual becomes the cause of the in-

jured community, insulted by the unscrupulous advantage that has been taken of its trustfulness and of its inability to judge soundly where all the data for a sound judgment are studiously withheld. Such an action is as much and as flagrant a crime or offence against the community as an act of robbery or murder, which, though primarily an injury to the individual, is primarily avenged as an injury to the State. As such it calls for punishment, nor could any punishment be more appropriate than one which caused the offending newspaper to atone by dishonour for the dishonour it sought to inflict. Condemnation by Parliament to the flames would exactly meet the exigencies of a case so rare and exceptional, and would succeed in inflicting that disgrace of which such a punishment often formerly failed by very reason of its too frequent application.





## APPENDIX.



AFTER the conspiracy, known as the Rye House Plot, to kill Charles II. and his brother, the Duke of York, the University of Oxford ordered the public burning of books which ran counter to the doctrine of the Divine right of kings. As the decree is a literary and political curiosity of the highest order, and not easily accessible, I here transcribe it from Lord Somers' *Tracts*. The authors whose books were condemned are sometimes referred to quite generally, so that some are difficult to identify, but the following appear to be the principal ones that incurred the fiery indignation of the University:—1. Rutherford's *Lex Rex*; 2. G. Buchanan's *De Jure Regni apud Scotos*; 3. Bellarmine's *De Potestate Papæ*, and his *De Conciliis et Ecclesiâ Militante*; 4. Milton's *Eikonoklastes*, and his *Defensio Populi Anglicani*; 5. Goodwin's *Obstructours of Justice*; 6. Baxter's *Holy Commonwealth*;

7. Dolman's *Succession*; 8. Hobbes' *De Cive* and *Leviathan*.

*The Judgment and Decree of the University of Oxford, passed in their Convocation, July 21, 1683, against certain pernicious books, and damnable doctrines, destructive to the sacred persons of princes, their State and Government, and of all Human Society.*

"Although the barbarous assassination lately enterprised against the person of his sacred majesty and his royal brother, engages all our thoughts to reflect with utmost detestation and abhorrence on that execrable villainy, hateful to God and man, and pay our due acknowledgments to the Divine Providence, which, by extraordinary methods, brought it to pass, that the breath of our nostrils, the anointed of the Lord, is not taken in the pit which was prepared for him, and that under his shadow we continue to live and to enjoy the blessings of his government; yet, notwithstanding, we find it to be a necessary duty at this time to search into and lay open those impious doctrines, which having been of late studiously disseminated, gave rise and growth to those nefarious attempts, and pass upon them our solemn public censure and decree of condemnation.

"Therefore, to the honour of the holy and undivided Trinity, the preservation of Catholic truth in the Church, and that the king's majesty may be secured both from



the attempts of open bloody enemies and machinations of treacherous heretics and schismatics, we, the vice-chancellor, doctors, proctors, and masters regent, met in convocation, in the accustomed manner, the one and twentieth day of July, in the year 1683, concerning certain propositions contained in divers books and writings, published in the English and also in the Latin tongue, repugnant to the Holy Scriptures, decrees of councils, writings of the fathers, the faith and profession of the primitive Church, and also destruction of the kingly government, the safety of his Majesty's person, the public peace, the laws of nature, and bonds of human society, by our unanimous assent and consent, have decreed and determined in manner and form following:—

“The 1st Proposition.—All civil authority is derived originally from the people.

“2. There is a mutual compact, tacit or express, between a prince and his subjects, that if he perform not his duty, they are discharged from theirs.

“3. That if lawful governors become tyrants, or govern otherwise than by the laws of God and man they ought to do, they forfeit the right they had unto their government.—*Lex Rex; Buchanan, de Jure Regni; Vindiciæ contra tyrannos; Bellarmine, de Conciliis, de Pontifice; Milton; Goodwin; Baxter; H.C.*

“4. The sovereignty of England is in the three estates, viz., Kings, Lords, and Commons. The king has but a co-ordinate power, and may be overruled by the other

two.—*Lex Rex*; *Hunter*, of a united and mixed monarchy. *Baxter, H. C. Polit. Catechis.*

"5. Birthright and proximity of blood give no title to rule or government, and it is lawful to preclude the next heir from his right and succession to the crown.—*Lex Rex*; *Hunt's Postscript*; *Doleman's History of Succession*; *Julian the Apostate*; *Mene Tekel.*

"6. It is lawful for subjects, without the consent, and against the command, of the supreme magistrate, to enter into leagues, covenants, and associations, for defence of themselves and their religion.—*Solemn League and Covenant*; *Late Association.*

"7. Self-preservation is the fundamental law of nature, and supersedes the obligation of all others, whensoever they stand in competition with it.—*Hobbes de Cive*; *Leviathan.*

"8. The doctrine of the gospel concerning patient suffering of injuries is not inconsistent with violent resisting of the higher powers in case of persecution for religion.—*Lex Rex*; *Julian Apostate*; *Apolog. Relat.*

"9. There lies no obligation upon Christians to passive obedience, when the prince commands anything against the laws of our country; and the primitive Christians chose rather to die than resist, because Christianity was not settled by the laws of the Empire.—*Julian Apostate.*

"10. Possession and strength give a right to govern, and success in a cause, or enterprise, proclaims it to be lawful and just; to pursue it is to comply with the will of God, because it is to follow the conduct of His providence.—*Hobbes*; *Owen's Sermon before*

*the Regicides, Jan. 31, 1648; Baxter; Jenkin's Petition, Oct. 1651.*

"11. In the state of nature there is no difference between good and evil, right and wrong; the state of nature is the state of war, in which every man hath a right to all things.

"12. The foundation of civil authority is this natural right, which is not given, but left to the supreme magistrate upon men's entering into societies; and not only a foreign invader, but a domestic rebel, puts himself again into a state of nature to be proceeded against, not as a subject, but an enemy, and consequently acquires by his rebellion the same right over the life of his prince, as the prince for the most heinous crimes has over the life of his own subjects.

"13. Every man, after his entering into a society, retains a right of defending himself against force, and cannot transfer that right to the commonwealth when he consents to that union whereby a commonwealth is made; and in case a great many men together have already resisted the commonwealth, for which every one of them expecteth death, they have liberty then to join together to assist and defend one another. This bearing of arms subsequent to the first breach of their duty, though it be to maintain what they have done, is no new unjust act, and if it be only to defend their persons, is not unjust at all.

"14. An oath superadds no obligation to fact, and a fact obliges no further than it is credited; and consequently if a prince gives

any indication that he does not believe the promises of fealty and allegiance made by any of his subjects, they are thereby freed from their subjection; and, notwithstanding their pacts and oaths, may lawfully rebel against, and destroy their sovereign.—*Hobbes de Cive; Leviathan.*

“15. If a people, that by oath and duty are obliged to a sovereign, shall sinfully dispossess him, and, contrary to their covenants, choose and covenant with another, they may be obliged by their later covenants, notwithstanding their former.—*Baxter; H. C.*

“16. All oaths are unlawful and contrary to the Word of God.—*Quakers.*

“17. An oath obligeth not in the sense of the imposer, but the taker's.—*Sheriff's Case.*

“18. Dominion is founded in grace.

“19. The powers of this world are usurpations upon the prerogative of Jesus Christ; and it is the duty of God's people to destroy them, in order to the setting Christ upon His throne.—*Fifth Monarchy Men.*

“20. The presbyterian government is the sceptre of Christ's kingdom, to which kings, as well as others, are bound to submit; and the king's supremacy in ecclesiastical affairs, asserted by the Church of England, is injurious to Christ, the sole King and Head of His Church.—*Altare Damascenum; Apolog. Relat. Hist. Indulg; Cartwright; Travers.*

“21. It is not lawful for superiors to impose anything in the worship of God that is not antecedently necessary.

“22. The duty of not offending a weak brother is inconsistent with all human au-

thority of making laws concerning indifferent things.—*Protest. Reconciler.*

"23. Wicked kings and tyrants ought to be put to death; and if the judges and inferior magistrates will not do their office, the power of the sword devolves to the people; if the major part of the people refuse to exercise this power, then the ministers may excommunicate such a king; after which it is lawful for any of the subjects to kill him, as the people did Athaliah, and Jehu Jezebel.—*Buchanan; Knox; Goodman; Gibby; Jesuits.*

"24. After the sealing of the Scripture-canon the people of God in all ages are to expect new revelations for a rule of their actions (a); and it is lawful for a private man, having an inward motion from God, to kill a tyrant (b).—(a) *Quakers and other Enthusiasts.* (b) *Goodman.*

"25. The example of Phineas is to us instead of a command; for what God hath commanded or approved in one age must needs oblige in all.—*Goodman; Knox; Napthali.*

"26. King Charles the First was lawfully put to death, and his murderers were the blessed instruments of God's glory in their generation.—*Milton; Goodwin; Owen.*

"27. King Charles the First made war upon his Parliament; and in such a case the king may not only be resisted, but he ceaseth to be king.—*Baxter.*

"We decree, judge, and declare all and every of these propositions to be false, seditious, and impious; and most of them to be also heretical and blasphemous, infamous

to Christian religion, and destructive of all government in Church and State.

“ We further decree, That the books which contain the aforesaid propositions and impious doctrines are fitted to deprave good manners, corrupt the minds of unwary men, stir up seditions and tumults, overthrow states and kingdoms, and lead to rebellion, murder of princes, and atheism itself; and therefore we interdict all members of the university from the reading of the said books, under the penalties in the statutes expressed. We also order the before-recited books to be publicly burnt by the hand of our marshal, in the court of our schools.

“ Likewise we order, that, in perpetual memory hereof, these our decrees shall be entered into the registry of our convocation; and that copies of them being communicated to the several colleges and halls within this university, they be there publicly affixed in the libraries, refectories, or other fit places, where they may be seen and read of all.

“ Lastly, we command and strictly enjoin all and singular, the readers, tutors, catechists, and others to whom the care and trust of institution of youth is committed, that they diligently instruct and ground their scholars in that most necessary doctrine, which, in a manner, is the badge and character of the Church of England, of submitting to every ordinance of man for the Lord's sake, whether it be to the king as supreme, or unto governors as unto them that are sent by him, for the punishment of evil doers, and for the praise of them that do well; teaching that

this submission and obedience is to be clear, absolute, and without exception of any state or order of men. Also that they, according to the Apostle's precept, exhort, that first of all supplications, prayers, intercessions, and giving of thanks be made for all men, for the king, and all that are in authority; that we may lead a quiet and peaceable life in all godliness and honesty; for this is good and acceptable in the sight of God our Saviour; and in especial manner that they press and oblige them humbly to offer their most ardent and daily prayers at the throne of grace, for the preservation of our Sovereign Lord King Charles from the attempts of open violence and secret machinations of perfidious traitors; that the defender of the faith, being safe under the defence of the Most High, may continue his reign on earth till he exchange it for that of a late and happy immortality."









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